



**Testimony of**  
**Rohit T. Aggarwala**  
**Commissioner**  
**New York City Department of Environmental Protection**  
**before the**  
**New York City Council**  
**Committee on Environmental Protection**  
**March 25, 2022**

Good afternoon, Chair Gennaro and members of the Environmental Protection Committee. My name is Rohit Aggarwala. I am the Commissioner of the Department of Environmental Protection (DEP) and the City's Chief Climate Officer. I'm still quite new – I'm on the last weekday of my sixth week here – and I am excited to work with all of you as both DEP and the Mayor's Office of Climate and Environmental Justice prepare the city to meet the environmental needs of the coming decades.

I am here today to discuss DEP's Preliminary Budget for Fiscal Year 2023, its Preliminary Capital Plan for Fiscal Years 2023-2026, and our performance on the Fiscal 2022 Preliminary Mayor's Management Report. I am joined today by DEP's Chief Operating Officer Vinny Sapienza, Chief Financial Officer Joe Murin, and Acting Deputy Commissioner of Public Affairs and Communications Mikelle Adgate. I have been honored to take over as Commissioner from Vinny Sapienza, a lifelong dedicated DEP employee who was an excellent commissioner. I am very grateful – as we should all be – that he is staying on as Chief Operating Officer.

At the start, I would like to assure you that DEP is in strong shape. We have the best drinking water of any American city and our water rates are much lower than in most cities. New Yorkers experience far fewer water main breaks or service disruptions than residents of almost every other large city. Our harbor has seen a rebirth as a vibrant estuary, and our water supply is safe, secure, and clean. Further, while the City's overall budget and headcount have grown dramatically over the last five years, DEP's headcount has remained stable, and our operating expenses are up by only 1.1 percent annually over the last five years – in other words, DEP's spending has increased at a rate below the rate of inflation.

### **Financial Structure & Customer Service**

To begin, DEP is a hybrid agency. It is both a water utility and an environmental regulator. Roughly 2.2% of our expenses and 4% of our headcount relate to the environmental regulator function of the agency and are funded out of the City's general tax levy. These functions include air and noise code enforcement, and asbestos inspections. The water utility function – the vast majority of our work – is funded directly out of water rates. In FY2021, the City's water revenues were \$3.665 billion. Of that, \$1.733 billion went towards operations and other charges, \$1.891 billion went towards capital



(both directly funded and debt service), and \$137 million went to the rental payment. [See Appendix 1: Expenditure Chart]

The Water Board's public rate setting process will kick off later this spring, so I cannot speak to the future water rate now. The process will include public meetings, so you and your constituents will be prepared for any changes to the current water rate. New York's water rates are much lower than in other cities [see Appendix 2: Water Rate Comparison]. Continuing to keep rates affordable is a key objective of our long-term planning, as is the need to maintain our financial health so as to preserve the high credit ratings that enable us to finance more than \$30 billion in current outstanding capital debt.<sup>1</sup>

Each Fiscal Year, the City is entitled to request a rental payment from the Water Board. In FY2022, the City did not request a rental payment. In FY 2020 and FY 2021, the City made partial rental payment requests. The City has not indicated an intention to request a rental payment for fiscal years 2022 through 2026 as of this time.

DEP's finances are shaped in part by our billing system, which is also our main point of interaction with our almost 1 million account owners. We are very proud of the fact that over the last year, DEP implemented a new, state-of-the-art billing system. Over the next year or two, we will have the opportunity to explore the kinds of benefits this billing system can offer, which including helping us understand customer behavior better, send out more targeted and customized notices, and perhaps even move towards billing outside of the standard 3-month cycle.

The combination of automatic water readers and our new billing system gives us great insight, but also creates information that is potentially highly sensitive. We are highly cognizant of the privacy implications of the data we hold and the need to comply with city, state, and federal privacy laws pertaining to utilities.

We know that some New Yorkers have difficult paying their water bills. To help, we offer a variety of options and programs, including:

- a Leak Forgiveness program;
- a Multi-Family Conservation Program;

---

<sup>1</sup> Three entities are involved in our financial structure: DEP, the New York City Water Board (Board), and the New York City Municipal Water Finance Authority (Authority). DEP owns and operates utility system assets as a Mayoral agency. DEP's Bureau of Customer Service handles the collection of water fees from city residents. The Water Board sets rates, collects payments, and is the leaseholder for City-owned utility assets. The Authority issues and manages debt. The Board and the WFA are State public entities. This system was established by state legislation in 1984. Per that legislation, the City has the right to collect an amount determined by formula as a rental payment for the pre-1984 city assets operated by DEP.

As part of its debt management responsibility, the Authority issues bonds. Last month, the bonds once again received a 'AA+' rating. This excellent credit rating allows the Authority to borrow money at lower rates of interest than less creditworthy borrowers. Interest payments are a system expense, so having a low interest rate means that water rates do not have to be raised to cover the additional expense of higher interest.



- the Home Water Assistance Program, which provides over 50,000 lower-income homes with bill credits;
- New York State's recent program to help people with outstanding water debts, which can offer low-income New Yorkers up to \$5,000 to pay off overdue water bills; and
- individualized payment plans for any account holder who has outstanding water debt, which can stretch out payments and reduce or even forgive interest on overdue bills.

Our collections are of major concern to the agency's fiscal health. As of today, we have more than one billion dollars in overdue payments, which is about 40% more than was overdue two years ago, prior to the pandemic. This week, we started mailing notices to customers with delinquent accounts letting them know about the multiple assistance programs we offer. Collecting ample revenues is what keeps the Water Authority's credit rating high and borrowing costs low. If DEP is unable to collect owed revenue, the losses will lead to higher water rates for those who do pay their bills. In conjunction with our colleagues at the Department of Finance, we look forward to working with you to find the most equitable way to enforce payment obligations while protecting those who genuinely cannot pay.

### Water Supply System

There is no question that the crown jewel of our water system – and probably of our entire municipal infrastructure – is our water supply system.<sup>2</sup> Not only is it extensive, clean, and reliable, but it is also efficient – gravity-fed and largely unfiltered, our water supply system consumes very little energy compared to other cities' systems. [see Appendix 3: Water System Map].

In general, I am happy to report that our water supply infrastructure is in good shape and highly robust. We have a significant ongoing capital investment program that is increasing the system's reliability and redundancy, and we are undertaking the kind of major reinvestment that must happen every hundred years or so, such as our Ashokan Century program to renew one of our largest reservoirs, in the Catskills.

A few items I will bring to the committee's attention respecting our water supply:

First, we are currently undertaking the scheduled mid-point review of our Filtration Avoidance Determination. That agreement, with the State Department of Health, runs through 2027. DEP submitted its recommended adjustments to the program in December. These were largely based on a review done at our request by the National Academies of Science, which indicated that our land acquisition program in the watershed had been highly successful, but in most cases has diminishing returns going forward. DEP did not propose to end the program, but we did propose to reduce the target rate at which we acquire property.

---

<sup>2</sup> The watershed includes 19 reservoirs and three controlled lakes, which hold a total capacity of 570 billion gallons of water. The 1.2 million acres of watersheds traverse portions of eight counties, 60 towns, and 12 villages.



Second, I will point out that DEP is a major presence in many of our upstate communities, and our activities are often treated with suspicion. We at DEP have to work diligently to ensure that we deepen positive relationships with our upstate communities.

Finally, I would like to point out that climate change is already affecting our watershed, and it has significant potential long-term impacts we must plan for. In addition to the damage and deaths it caused in the five boroughs, Hurricane Ida disturbed organic materials in the watershed. Some organic material, like soil and leaves, remained suspended and reacted with the chemical used in our purification process. This reaction increased the levels of a series of regulated organic acids (HAA5) in the distribution system. When the increase was identified our system, operators had to make a series of adjustments to reduce HAA5 levels. I assure you that the water continues to be absolutely safe. This incident demonstrates the many kinds of impacts we face as a result of climate change. Similarly, while New York has been generally free from drought conditions for decades, climate change threatens the long-term reliability of our supply, both because of rainfall changes and because of the way sea level change is affecting the Delaware River – from whose watershed we draw roughly half our water.<sup>3</sup>

### Water and Sewer Operations

Once our water enters the city, it is distributed around the five boroughs through 7,000 miles of water mains and then back through 7500 miles of sewer mains.<sup>4</sup> Overall, our Water and Sewer Operations continue to perform well. In FY2021, we had only 6.4 breaks per year per 100 miles of water mains, compared to an industry-wide best practice of 15.<sup>5</sup> When breaks happen, we restore water service in an average of less than five hours, largely because we have multiple offices sited throughout the city. The number of recurring confirmed sewer backup segments has steadily decreased each year,

---

<sup>3</sup> Roughly 50% of our supply comes from the Delaware System. The Delaware System is governed by a series of regulations, including a 1954 Supreme Court Decree that allocates how much water New York City can take from the Delaware River Basin. Rising sea levels and glacial rebounding are exacerbating the effects of salinity intrusion in the lower Delaware River. Currently, NYC is required to make releases based on the position of the salt front in the lower Delaware River during times of drought emergency. In the event that the Delaware River Basin experiences a significant drought, NYC may not have enough water in its Delaware Basin reservoirs to meet both demand and its release requirements in the Delaware River.

<sup>4</sup> New York City has two types of sewer systems. In most of the city, the same sewer lines carry both sanitary waste and stormwater. This is known as a Combined Sewer system. In roughly 35-40% percent of the city, we have the Municipal Separated Sewer System, commonly referred to as MS4. In these areas, which are concentrated primarily in younger neighborhoods in Staten Island and Queens, sanitary sewage is handled by a dedicated sewer network that brings wastewater to be treated, while stormwater runoff is handled in a separate network that goes directly into waterways. Anything that enters the sewer through a catch basin in a MS4 area is released untreated to a local water way, so it is important to remind everyone that dumping into the sewer system is illegal and that every effort should be made to minimize litter in the streets. These are easy ways that all New Yorkers can help protect our harbor waters.

<sup>5</sup> DEP's remarkably low rate is due to BWSO's robust maintenance program and advanced monitoring and management techniques. For example, BWSO monitors pressure throughout the system on an ongoing basis and can reduce water flow into specific sections that are at high pressure, thus reducing the likelihood of breaks. BWSO proactively replaces nearly 50 miles of water supply lines every year, about a mile per week.





with a five-year average falling by 4% in 2021. To prevent backups, we clean over 600 miles of sewer each year and replace nearly 30 miles.<sup>6</sup>

Overall, roughly 41% of our capital budget is dedicated to BWSO. The preliminary budget provides continued funding for several major BWSO projects. Of note is the continued funding for City Water Tunnel 3 and the buildout of sewers in Southeast Queens, which is now a \$2.5 billion project.

## Stormwater

Perhaps top of mind for many New Yorkers when it comes to our sewers is their performance during major storms. As we know, climate change is increasing both the frequency and the intensity of storms, as Henri and Ida demonstrated so devastatingly last year.

New York City's sewer system was generally well-designed for the kind of regular rainstorms we experienced over the last century. Our current standard for sewers today is 1.75 inches per hour, which, historically, was only very rarely exceeded. At its most intense, Ida was dumping more than 3.5 inches of water per hour on the city's hardest-hit neighborhoods. Developing a comprehensive, long-term approach for how to protect New Yorkers in this new level of storm intensity is a top priority at DEP and at the Mayor's Office of Climate and Environmental Justice. *The New Normal* report that the previous administration released in November 2021 is a good start, but is not the final word on what this administration will do on stormwater resilience.

A key highlight of our resilience efforts to date is clearly our Green Infrastructure (GI) Program, for which we collaborate with several other city agencies. To date, we have constructed more than 10,000 rain gardens and 14,000 acres of Bluebelts. About 90% of our GI program assets are in environmental justice neighborhoods, including 85% of our right-of-way assets. We are also working on new approaches, such as daylighting streams.

Our GI program to date has been designed to reduce pollution from combined sewer overflows (CSO). We are now looking at how the GI program can be expanded to complement other infrastructure and effectively manage stormwater during extreme rain events.

I should point out that DEP's assets end at the property line. DEP has water and sewer infrastructure under every street in the city, but property owners are responsible for maintaining all of the plumbing on their property. This includes the water and sanitary sewer service lines that extend from the property to the city's water and sewer mains in the street. It is no different from a driveway – the street is owned and maintained by the city, but a driveway on private property is private.

There are many steps that property owners can take to protect their homes and businesses during storms. We offer a Homeowner's Guide to Rain Event Preparedness on our website. For some

---

<sup>6</sup> Most of the cleaning is proactively done before a problem can arise. Maintenance used to be done on a fixed schedule, but BWSO is instituting an innovative new approach to predictive maintenance that considers the size and age of the sewers, the local population density, and other factors (such as presence of restaurants) to inspect more frequently those sewers more likely to have problems.



buildings, installing a backwater valve may be helpful to protect a basement. The Mayor's Office of Climate and Environmental Justice is currently conducting a study to determine where backwater valves are appropriate.

## Lead

The issue of city versus private infrastructure is a challenge to the goal of replacing lead service lines. The New York City water supply system is virtually lead free when it delivered, but water can absorb lead from solder, fixtures, and pipes found in the private plumbing of some buildings and homes. DEP does not have lead water mains, but we estimate that there are more than 130,000 New York City buildings that have private lead service lines. We work to reduce the risks of lead by carefully adjusting pH levels of the water to prevent corrosion and prevent lead from lead pipes from leaching into drinking water. We also provide free lead test kits to any resident who requests one. In 2021, DEP provided more than 7,000 free lead testing kits to residents across the city.

Traditionally, DEP has only worked to eliminate lead from City-owned pipes, but we recently launched a pilot program with state funds to help low-income homeowners replace these lines. We have replaced 280 lines so far and expect to replace more than 300 more with the existing grant funding. We are hopeful that federal funding may be available to expand this program significantly.

## Wastewater Treatment

Protecting the harbor is the main task of the Bureau of Water Treatment (BWT) and its 14 Wastewater Resource Recovery Facilities (WRRFs). Each day, DEP treats 1.3 billion gallons of wastewater to meet the standards of the Clean Water Act. Since 2002, we have invested more than \$14.5B to upgrade our treatment facilities. Thanks to advancements in our processes, New York harbor is healthier than it has been since the Civil War.

Through this work, we have reduced CSOs from 100 billion gallons per year 40 years ago to 18 billion today, an 80% reduction. Our work here is governed by the CSO Consent Order and our Long-Term Control Plans (LTCP), which were developed with the State DEC. We have already committed more than \$6 billion in projects towards the LTCPs. The challenge we face now is that each additional gallon of CSO we prevent costs more and more, as the easiest solutions have all been done. This is a key reason that green infrastructure is such an important part of our overall strategy.

CSOs are not the only reason we need to invest in our recovery facilities. First, they have the potential to be a core part of the city's overall sustainability effort, because the digesters that convert human waste to energy and material can also convert food waste to energy and material, as we currently do at Newtown Creek. Several projects to expand that capacity are in the budget.

Second, many of them are falling well short of a state of good repair. A meaningful portion of our capital budget is dedicated to this kind of work, and I expect it will grow in future budgets. The price of not maintaining these facilities is an increased risk of a catastrophic failure that will be expensive both financially and to the environment.



Finally, our recovery facilities are also on the front lines of climate change, as rising sea levels threaten our outfalls and will require redesigns over time. Preparing for our future reality does offer opportunities, such as the opportunity we have to explore the consolidation of four recovery facilities onto a site at Rikers Island. That study, required by Local Law 31, will kick off next month.

### Security and Reliability

As you have seen, much of our attention, especially in our capital budget, is focused on preserving and enhancing our system's reliability. We know that failures are always disruptive and are potentially catastrophic. In addition to climate change, we are also focused on protecting our system from malicious attacks. Cybersecurity especially is a top priority for DEP. As President Biden recently highlighted, utilities continue to be prime targets for cyber-attacks, and so DEP has developed a robust cybersecurity program. We work closely with federal, state, and local authorities, including NYPD Counterterrorism, the FBI, and US Homeland Security. As recently as this past Tuesday, DEP participated in a utility security call with the U.S. Cybersecurity and Infrastructure Security Agency (CISA). We have implemented several backup and contingency systems to ensure that the city's water supply is well protected, and are engaged in regular exercises to ensure that we know what to do in case of a successful attack.

### Environmental Regulation

As you can see, DEP's role as a water utility is a large and critical task that is the bulk of the agency's attention and budget. But we also have the crucial role of protecting the health and quality of life for residents by overseeing compliance with the Air, Noise, and Asbestos Codes. I will highlight two items here.

New York City is one of the few cities in the country with citizen participation in its idling control program. This program started in the 1970s but really took off in 2019 through a change allowing citizens to participate in enforcement. The program went from a handful of complaints submitted per year to over 10,000 summonses issued by DEP on behalf of the citizen complainants in 2019. DEP has been undergoing a rulemaking process to strengthen idling enforcement.

DEP also enforces sections of the Noise Code, including the section limiting the noise of vehicles. This is traditionally enforced by personnel standing beside streets taking noise measurements. We are currently piloting a meter-and-camera-based system to automate this enforcement. We currently have one meter-and-camera location for this pilot project, and will assess its accuracy and effectiveness before deciding whether to expand it.

### Looking Forward

Several months ago, the federal government passed a massive infrastructure bill that includes funding for many water and sewer infrastructure projects. Most of the funding is allocated for grant programs and we are waiting for the grant requirements to be issued. We are optimistic, however, that we may be able to secure federal funding for a range of projects, including lead service line replacements, green infrastructure, and water supply work with our upstate partners.



Overall, I would like to conclude by saying that, in my first six weeks, I have focused on understanding the full extent of this important agency and its work. I have a long track record as an environmentalist, so I am very excited to be at an agency where the environment is, truly, our middle name. Over the coming months, I will be looking to expand DEP's ambitions in air quality and noise regulation; reshape our role in the watershed; and place DEP squarely at the front lines of the fight to protect our city against climate change – and to forestall it. I will also be focused on ensuring that we operate effectively and successfully as an organization, considering the needs of our dedicated staff as well as the exploring the potential to do things better. I will also be very concerned with ensuring the security of our system, and its financial health and customer service. Inevitably, many of these plans are only just beginning, and I look forward to working with you on this committee as we develop new thinking.

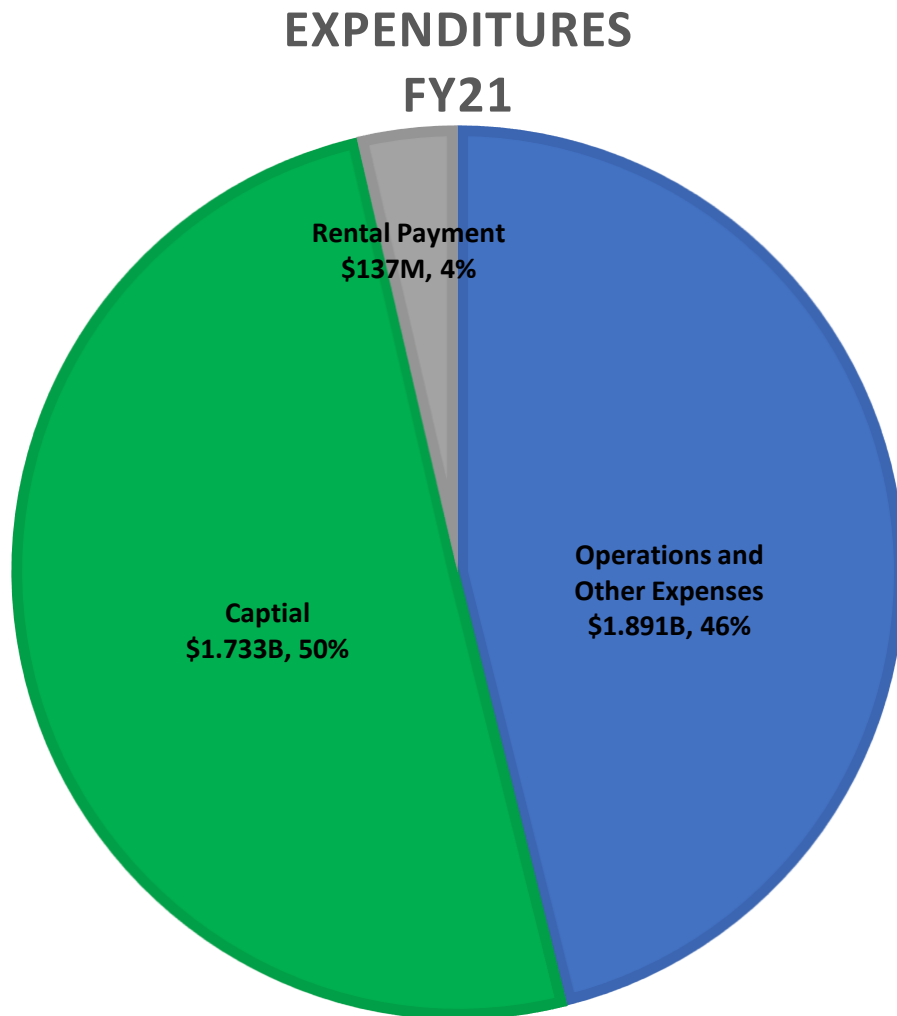
Thank you for the opportunity to testify today. My colleagues and I are happy to answer any questions that you have.



## Appendices:

1. APPENDIX 1: Expenditure Chart and Capital Budget Chart
2. APPENDIX 2: Water Rate Comparison Chart
3. APPENDIX 3: Water System Map

## APPENDIX 1: Expenditure Chart



## APPENDIX 2: Water Rate Comparison

NYC's rates are almost 20% below the average for the thirty largest cities in the US.

		New York City	30 Large City Average <sup>1</sup>	NYC vs. Average
Based on 80k gallons per year	2016	\$1,055	\$1,101	-4.2%
	2017	\$1,055	\$1,156	-8.7%
	2018	\$1,055	\$1,205	-12.4%
Based on 70k gallons per year	2019	\$945	\$1,119	-15.5%
	2020	\$967	\$1,173	-17.6%
	2021	\$967	NA	NA



### APPENDIX 3: New York City's Water Supply System





**New York City Council  
Environmental Protection Committee Hearing on Preliminary FY23 Budget  
March 25, 2022**

**Testimony By: Aaron Sanders, Natural Areas Conservancy, Associate Director of Advocacy & Policy**

My name is Aaron Sanders and I am the Associate Director of Advocacy and Policy at the Natural Areas Conservancy. Thank you Chair Gennaro and Committee for the opportunity to provide testimony about the importance of funding Wetlands as a climate resilient resource. The Natural Areas Conservancy is a nonprofit organization that was formed in 2012 with the goal of increasing the capacity of NYC Parks and its partners to restore and manage the 10,000 acres of forests and wetlands under the agency's jurisdiction. I am testifying today to highlight the importance of wetlands as a natural resource. I also want to encourage the New York City Council and the Mayor's Adam administration to fully fund the *Wetlands Management Framework for New York City*.

New York City has 520 miles of coastline, an estuary teeming with life, and a busy working harbor. Our city's wetlands provide natural beauty, support diverse wildlife, and offer recreational opportunities for New Yorkers and visitors.

Recognizing their ever-increasing importance, in spring 2021 the Natural Areas Conservancy (NAC) and NYC Parks released the *Wetlands Management Framework for New York City*. This framework presents a bold vision for the restoration and long-term care of New York City's wetlands. The NAC hopes to mobilize the city around this new framework and seeks support to build investments, staff, and volunteers to save these natural areas. This plan calls for the following:

- 40 permanent staff
- \$550,000 expense funding/year
- 10-year capital funding: \$22 million per year

Based on extensive field research and building on decades of work by NYC Parks, this new 30-year plan presents the first-ever vision for the continued protection, restoration, and care of the city's last remaining wetlands. Out of New York City's 5,650 acres of remaining wetlands, nearly 50% (2,820 acres) are within NYC Parks. The recommendations laid out in the framework call for the increased protection of those fragile wetlands and dozens of streams that are under the jurisdiction of NYC Parks. The Wetlands Management Framework was initially funded by a grant from the NYC tal Protection. In 2021, the de Blasio administration committed \$7.1 million for coastal wetland restoration and \$4.6 million for stormwater green infrastructure. We applaud this support, but more must be done to mitigate potential damage to wetlands.



## The problem

By the 2050s, New York City will experience sea-level rise by as much as 2.5 feet. Rising water levels stress salt marsh plants by limiting oxygen and effectively drowning them. Where conditions allow, salt marshes will migrate landward to a higher elevation as today's dry land becomes more frequently inundated. But in New York City, that movement is often restricted by low-lying coastal development. Further, oil spills, accidental and illicit pipe discharges, and plastic waste present ongoing risks to wetland wildlife. Nutrients from urban stormwater and combined sewer overflows exacerbate marsh drowning by inhibiting root growth. This causes plant matter to decompose more rapidly and weakens marsh soils.

## Recommendations

The Natural Areas Conservancy recommends the following:

- Create new wetlands and allow space for wetlands to migrate as sea levels rise
- Transfer approximately 93 acres of publicly-owned property to NYC Parks' jurisdiction, and acquire another 50 acres currently under private ownership, to be managed as wetlands and buffers
- Restore 288 acres of salt and freshwater marshes by with capital funding
- Increase dedicated wetlands staffing, ensuring personnel actively manage wetlands and engage volunteers

In closing, we urge the New York City Council to fully adopt the *Wetlands Management Framework* and protect wetlands that are at risk. Investing in our waterway maintenance can help mitigate future storm surges and flooding. Thank you for your time and consideration.

Respectfully submitted,

Aaron M. Sanders



## **New York City Environmental Justice Alliance Public Testimony to NYC Council Committee on Environmental Protection - March 25, 2022**

Good afternoon, my name is Shravanthi Kanekal and I am the Resiliency Planner at the New York City Environmental Justice Alliance. Founded in 1991, NYC-EJA is a non-profit citywide membership network linking 11 grassroots organizations from low-income neighborhoods and communities of color in their struggle for environmental justice. I am here today to testify in support of the complete and equitable implementation of Local Law 97.

In 2014, NYC-EJA co-founded the Climate Works for all coalition which organized for years around LL97 and finally celebrated its passage in 2019. While that was a historic win, we cannot afford to wait any longer on implementation. With only 2 years until the first compliance standards of the law take effect, the coalition urges the city to focus its efforts on equitably and aggressively implementing the law.

In the wake of the COVID-19 pandemic and the following unemployment crisis and ongoing climate crisis, the successful implementation of LL97 provides an incredible opportunity to create about 40,000 good green jobs, move us towards our climate goals, and directly invest in reducing harmful localized pollution levels in environmental justice communities.

There are a few important considerations on this front:

There is an urgent need for additional funding in the upcoming fiscal year budget for increased staffing at DOB's Office of Building Energy and Emissions Performance (OBEEP). Successful implementation of LL97 depends in large part on adequate funding for a larger, dedicated team at OBEEP. We commend the staff on all their hard work so far facilitating the AB process to shape technical details of the law, but remain extremely concerned that the office's current staff positions and funding are not consistent with the upcoming responsibilities - such as conducting technical analyses, complete the rulemaking process, driving outreach and education to building owners and eventually managing compliance and enforcement.

OBEEP needs to expand outreach across all sectors to ensure building owners are aware of the law, their compliance obligations, as well as the resources available to them such as NYC Accelerator and other funding opportunities. On this front, there needs to be transparency on the workings and progress of NYC Accelerator (i.e., how many building owners have been assisted, how many are underway, etc.).

Environmental justice communities have long held a deep skepticism of market-based false solutions such as carbon trading to address the climate crisis. We reject neoliberal approaches to addressing the deeply rooted injustices that disproportionately harm low-income communities and communities of color. Existing trading schemes have yielded documented increases in pollution for environmental justice communities.<sup>1</sup> We are concerned that any emissions trading scheme will allow large, polluting buildings to avoid making deep energy efficiency improvements by engaging in a complex trading system that will be difficult to enforce, leaving environmental justice communities vulnerable to continued localized pollution and further contributing to GHG emissions that fuel the climate crisis. We oppose the speculative “trading building emissions” proposal, which doesn’t exist anywhere in the U.S., requires City and State legislative approval, and fails to account for how such an unproven trading scheme will lead to equity, rather than wholesale confusion among property owners.

Implementation needs an environmental justice lens overall. Energy efficiency will play a bigger, life-saving role in environmental justice communities. Decarbonization in the form of building energy efficiency upgrades can play a dual role in not only moving us off fossil fuel dependency and mitigating climate change impacts, but can also lead to immediate health benefits in environmental justice communities.

We must move forward with the implementation of LL97 in a fair, equitable way to advance New York City’s climate and economic recovery goals to curb emissions, create environmental justice equity, and create good green jobs.

Thank you for your time and the opportunity to testify today.

---

<sup>1</sup> Serrano, Kim. 2017. “Greenhouse Gas Reduction Fund Investments in and around Orange County Observations on Place, Purse, and Politics.” *UCI Community Resilience*.  
<https://communityresilience.uci.edu/wp-content/uploads/2018/02/UCI-OC-GGRF-Report-FINAL-1.pdf>





**Testimony to the Committee on Environmental Protection**  
**Noah Chesnin, Associate Director, WCS New York Seascape Program**  
**Wildlife Conservation Society**  
**March 25, 2022**

Thank you Chair Gennaro and members of the Environmental Protection Committee. My name is Noah Chesnin and I am the Associate Director of the Wildlife Conservation Society's (WCS) New York Seascape Program based out of the New York Aquarium.

The Wildlife Conservation Society (WCS), which includes the Bronx Zoo, New York Aquarium, Central Park Zoo, Prospect Park Zoo, and Queens Zoo, saves wildlife and wild places worldwide through science, conservation action, education, and inspiring people to value nature. We are proud to be a member of the Cultural Institutions Group (CIG), a diverse coalition of 34 cultural organizations across the five boroughs with a distinct private-public partnership with the City of New York. As the City Council determines its budget priorities for FY23, on behalf of the CIG, we are here to ask for a restoration of all Council Initiatives, and a restoration of \$35M of FY22 funding. We will also be requesting an additional \$55 million for the cultural community and look forward to meeting with the Council and the Administration about that request in detail.

The WCS' *New York Seascape Program* seeks to connect New Yorkers with their ocean backyard and works collaboratively to advance marine conservation solutions that protect marine wildlife and support and empower local communities. This program operates out of the New York Aquarium and is committed to protecting marine biodiversity and habitat in the waters from Montauk, NY, to Cape May, NJ through field research, informed advocacy, and local stewardship. Based in Coney Island since 1957, the New York Aquarium has also been committed to working collaboratively with local partners to build coastal resilience in Coney Island, an under-resourced community where residents are increasingly vulnerable to storm events and rising seas. Although WCS parks may reside in different boroughs, our work is interconnected across all our parks and accessible to our constituents through our programming.

New York is a city of islands. The coastal and marine waters encircling New York, known as the New York Bight, are an ecological treasure trove, providing critical migration routes for globally threatened species, including sea turtles, whales, and sharks, as well as nursery grounds and critical habitat to hundreds of other marine species. With more than 8 million people living in New York City and one of the busiest ports in the world, the city that never sleeps is surrounded by the sea that never sleeps. Relatively few New Yorkers are aware of their marine wildlife neighbors and the threats that both nature and coastal communities are facing from offshore activities and climate change. In addition to conducting original scientific research on marine wildlife, creating greater awareness of and a sense of place tied to our waters, the New York Aquarium also provides New Yorkers with the knowledge and tools to protect our ocean legacy. These waters and wildlife face significant challenges ranging from pollution and increased vessel traffic to threats associated with climate change and marine habitat degradation.



The New York Aquarium's conservation work is grounded in science and community engagement. The *New York Seascape Program* strives to expand understanding of local species and habitats, inspire new generations of stewards, and collaborate with diverse partners and communities to build lasting conservation outcomes. Below are a few of the conservation initiatives I'd like to highlight for the committee:

- **Hudson Canyon National Marine Sanctuary Nomination:** Just 100 miles off the coast of bustling New York City lies the largest submarine canyon along the U.S. Atlantic Coast—the Hudson Canyon. Rivaling the depth and scale of the Grand Canyon, this special place supports a remarkable abundance and diversity of marine wildlife, including leviathan whales, endangered sea turtles, majestic sharks and tunas, colorful coldwater corals and many species that support local commercial and recreational fisheries. Ships regularly traverse the waters above the canyon to enter one of the busiest ports in the world, and lying on the bottom is a network of deep sea communication cables that connect us to the world. Yet, this natural wonder remains a mystery to many. **In order to secure a conservation legacy for Hudson Canyon, WCS submitted a proposal to NOAA nominating the Canyon as a National Marine Sanctuary (NMS). A National Marine Sanctuary in these waters could preclude oil, gas and mineral extraction in the Canyon, helping to maintain fish and wildlife populations and ensure a future for the fisheries and tourism industries that depend on healthy ocean ecosystems.** It will also provide a special place for us to enjoy and use today while securing an ecological legacy for generations to come. **If NOAA were to designate a Sanctuary in Hudson Canyon, this would provide a mechanism to increase federal investment in STEM educational programming opportunities for New York City students and families.** As a part of its nomination letter, WCS recommended that fisheries within the Hudson Canyon continue to be sustainably regulated through existing regional and federal entities, not through an NMS designation. The Sanctuary designation and subsequent management is designed to be a public-facing and stakeholder-driven process with multiple opportunities for public comment to ensure all viewpoints receive fair consideration. WCS is working to build a diverse coalition of conservationists, recreational interests, tour operators, commercial fishers, maritime industries, academic institutions, community-based organizations, businesses and members of the public. **We are also seeking support for the Sanctuary from local government officials including Members of the New York City Council.**
- **Offshore Wind, Climate Change and Inclusive STEM Career Jobs Program:** New York City, the State of New York, and the Biden-Harris Administration have set forth ambitious and necessary goals with regard to climate change. **Offshore wind energy is one of the most abundant sources of zero-emissions energy and will play a significant role in enabling New York City to meet this goal.** WCS supports responsibly developed offshore wind power as a critically needed climate change solution. **Drawing on our scientific research and expertise, we have advocated for policies and actions needed to bring offshore wind to scale in an environmentally safe manner that addresses impacts to marine wildlife and habitats.** Responsible development avoids, minimizes, and mitigates impacts to ocean wildlife and habitat and traditional ocean uses, meaningfully engages stakeholders from the start, and uses the best-available science and data to ensure science-based and stakeholder-informed decision making.





Responsibly developed offshore wind has the potential to create well-paying union jobs to build, install, and maintain these large-scale infrastructure projects. The nascent offshore wind industry also has the potential to build the next generation of marine and coastal STEM professionals and ensure that people hired for those positions are reflective of the diversity of New York City and New York. With generous support from the City Council, **WCS has been working to develop recommendations for an inclusive career pathway program for the ecological monitoring roles associated with offshore wind and other human uses off our coast. We are uniquely positioned to counteract stereotypes of STEM professionals that have historically discouraged people of color from pursuing science careers.** These ecological and biological monitoring positions will be critical to ensure the offshore wind sector in New York simultaneously promotes a carbon neutral, climate-friendly economy and a healthy ocean environment.

- **Coney Island Creek:** Coney Island Creek is an important community and ecological asset. We seek to weave together marine conservation, environmental justice, and social equity to advance both ecological restoration of Coney Island Creek and community resilience to climate change. As the northern boundary of the Coney Island peninsula, the Creek and adjacent parklands provide communal and natural open space to all residents. This public benefit has become even more critical during the COVID-19 pandemic. The Creek ecosystem also supports a variety of habitats and a diverse array of marine and terrestrial species. During Superstorm Sandy, the Creek was also an agent of destruction as the waters overflowed its banks and flooded streets, homes and businesses across Coney Island. Although severely impacted by a long legacy of historic and current uses and abuses, including industrial pollution, contaminated stormwater run-off and illicit discharges of untreated sewage, residents and community-based organizations have been working to protect and restore the Creek, address associated flood risks, and support the recreational benefits it provides to the community. The New York Aquarium is committed to working collaboratively with local partners and residents to build coastal resilience in Coney Island, an area increasingly vulnerable to storm events and rising seas. In collaboration with partner organizations, we have organized and hosted community workshops where Coney Island residents can share their priorities for Coney Island Creek and co-create a community and ecological resilience strategy. We are currently in the process of establishing the Coney Island Creek Conservancy, which will serve as a community forum and strive to provide a unified voice to advance recreation in and restoration and resilience of the Creek. The NY Aquarium Education program works with schools across Coney Island and Southern Brooklyn to provide youth-led conservation programming focused on the Creek. For example, we host or co-organize citizen science activities for students, youth-led nature walks, and beach clean-ups. These hands-on STEM educational activities are simultaneously community stewardship events that help build a grassroots constituency, connecting residents to the nature and waterways around New York City. The New York Aquarium also works with local conservation organizations on a range of policy issues affecting Coney Island Creek. We have shared scientific data and advocated to the NYC Economic Development Corporation regarding the proposed ferry landing in the Creek and have advocated for nature-based solutions and ecological monitoring to the Army Corps of Engineer's New York and New Jersey Harbor and Tributary Study.



- **Field Research and Citizen Science:** WCS NY Seascape and Aquarium scientists conduct original field research to enhance understanding of species distribution, migration, and habitat use through acoustic and satellite tagging and monitoring of target species of sharks, whales, and fish in the waters around New York City and across the New York Bight to guide conservation and management policies. For example, team members conduct long-term ecological monitoring and developing adaptive, ecosystem-based management plans for American eel and river herring as part of our ongoing restoration of the Bronx River. In partnership with academic institutions, we are leading acoustic monitoring efforts for marine mammals in New York waters. As a public-facing institution, we also organize opportunities for community members (e.g., students from local schools, residents from communities adjacent to local water bodies, etc.) to participate in citizen science efforts and other trainings. These activities not only help collect important biological and ecological data, but provide important opportunities to promote community-based stewardship of our local waterways.

Therefore, as the City Council determines its budget priorities for FY 2023, please know that WCS stands ready to continue our enhanced, high-quality programming should funding be available. As the Council determines its budget priorities for FY23, we respectfully request that all Council initiatives and \$35M of FY22 funding be restored, in addition to \$55M for FY23 from the City Council and Administration for the cultural community. It is our hope that this committee and the City Council understand what environmental and conservation organizations, including ours, have contributed and continue to offer New Yorkers and that we are responsive to the needs of the people and the health of our shared environment. None of this would be possible without the support and partnership of the City and its investments. Thank you for this opportunity to testify today. We appreciate the Council's unwavering support, and ask you to once again assure that environmental justice remains at the forefront of the City's recovery.



## Comments to The Environmental Protection Committee Preliminary Budget Hearing

March 24, 2022

### Board of Directors

---

Stuart Appelbaum

President,  
Retail, Wholesale and  
Department Store Union

Eddie Bautista  
Executive Director,  
NYC Environmental Justice  
Alliance

Henry Garrido  
Executive Director,  
AFSCME District Council 37

Lucia Gomez  
Political & Legislative Director,  
New York Central Labor  
Council

Bernadette Kelly  
Trustee,

IBT Local 210

Jose Lopez  
Co-Executive Director,  
Make the Road New York

Maritza Silva-Farrell  
Executive Director,  
ALIGN

Cynthia Travieso  
Political Director,  
Community Voices Heard

Jonathan Westin  
Director  
New York Communities

My name is Karolina and I am the Campaign Coordinator at [ALIGN, the Alliance for a Greater New York](#). ALIGN co-coordinates the Climate Works for All Coalition, a citywide partnership of over 50 labor, environmental justice, faith, and environmental groups united to ensure that efforts addressing climate change also create good, career-track jobs and prioritize low-income, climate-vulnerable New Yorkers.

Last year, our coalition released our [Green, Healthy Schools](#) report, an action plan that outlines why the city should prioritize investments for solar installation and deep retrofits in schools to address the immediate public health, economic, and climate crises environmental justice communities continue to face.

Today, **we are calling for an annual investment of \$1.8 billion in the city budget to install solar panels and conduct deep retrofits in public schools, prioritizing those located in environmental justice communities.** Installing solar panels and conducting deep retrofits - starting with HVAC installation - will help enhance air quality, reduce greenhouse gas emissions, create green career jobs, and foster resilient communities.

### *Enhancing Air Quality*

Reducing the city's greenhouse gas emissions, while improving air quality for environmental justice communities, can have consequential positive health outcomes and save lives. [Clinical research links long term exposure to air pollution with high COVID mortality rates](#). Deep retrofits, especially the installation of HVACs and air control systems, are an immediate mitigation tactic that provides long term solutions to health and daily life. Investing in Green, Healthy Schools will ensure all New Yorkers have equitable access to clean air. This is especially important as NYC schools no longer have critical protections like masking in place, despite [disparate student vaccination rates across race and class](#). Now is the time to invest in long term strategies that will protect students, staff, and communities at large.

### *Achieving Climate Goals*

New York City public schools are among [the biggest public climate polluters and account for one-quarter of all city-owned buildings](#). Further, our coalition estimates conducting deep retrofits will yield at least 50 percent in energy savings and emissions reductions. Focusing on this sector of the city's public buildings portfolio will ensure the city makes significant progress towards key solar and resiliency goals, while establishing compliance standards for the private sector.

### *Creating Green Career Jobs*

Green, Healthy Schools will create good-paying, clean energy jobs for New Yorkers. Investing in proven community hiring practices and workforce development programs - like union-linked pre-apprenticeships and apprenticeships - will expand opportunities for traditionally underrepresented New Yorkers to join the sustainability sector including many women, immigrants, and people of color.

Now more than ever, the city budget must prioritize investments and job creation for the communities that have been hit the hardest by COVID-19. As the city looks towards an equitable recovery for all, it must continue the practice of community-led resiliency planning to identify issues and priorities for the most climate-burdened New Yorkers. We believe an annual \$1.8 billion investment to create Green, Healthy Schools will move New York City on the path towards an equitable recovery.

Testimony to the NYC Council Preliminary Budget Hearing  
Committee on Environmental Protection  
Association for Energy Affordability  
Martha Sickles

Thank you for the opportunity to testify at the Preliminary Budget Hearing of the Committee on Environmental Protection. I would like to welcome Councilmember Gennaro back as Chair of the Committee on Environmental Protection to continue your earlier work to meet New York's climate goals.

The Association for Energy Affordability, Inc., founded in 1990, is dedicated to achieving energy efficiency and transition to clean energy in new and existing buildings to foster and maintain affordable and healthy housing and communities, especially those of low income. The success of this work depends on effective implementation of the City's decarbonization and energy transformation programs, such as those embodied in the leading-edge Climate Mobilization Act (CMA) passed by the City Council in 2019.

As 68% of New York City's carbon emissions are contributed by buildings, successful implementation of the CMA is essential for New York City to reduce its carbon footprint and pollution as well as to bring greater comfort and health to New York residents. Local Law 97, the cornerstone of the CMA, requires that most buildings over 25,000 square feet, approximately 50,000 buildings, meet carbon reduction targets in 2024 that increase over time to reach an 80% reduction by 2050. The building retrofits and necessary electrification will generate considerable investment and over 100,000 good green career track jobs. Implementation strategies must ensure an equitable and just building energy transformation, inclusive of all neighborhoods, building types, racial and socio-economic groups.

Several NYC agencies are tasked with roles in the implementation of LL97 including the Dept. of Buildings, Dept of Administrative Services, the Dept. of Environmental Protection, the Department of Housing Preservation and Development and the Mayor's Office of Climate and Environmental Justice. Adequate funding, to enable successful performance of LL97 tasks, is necessary for all these agencies and offices.

The Office of Building Energy and Emissions Performance (OBEEP) at the Dept. of Buildings was established to manage the implementation and rulemaking of the law. As the first compliance deadline of January 1, 2024, is fast approaching, there is much work to be done in a relatively short time frame to ensure compliance with this first deadline.

OBEEP convenes the Advisory Board tasked with recommending approaches to assessing building performance and analyzing and recommending improvements in energy and emissions requirements for covered buildings. Further, OBEEP is to conduct extensive outreach and education to building owners.



This work requires greater staffing than the six positions in the 2023 budget. Urban Green Council recommends an additional 10 to 15 staff positions be funded to enable successful implementation, oversight, compliance, analysis, and outreach strategies. We view this number to be a minimum, particularly for the education and outreach.

Another concern raised at the DOB Budget hearing is the high number of unfilled vacancies at 421 with 20% of them building inspectors and 11% plan examiners, professions essential to the implementation of LL97. DEP also indicated their challenge in hiring engineers needed to accomplish agency goals. The reasons for the lack of interested candidates should be explored and addressed so these positions will be filled.

Over the years, despite substantial funding from the System Benefit Charge, funneled through NYSEERDA and the utilities, and New York City's funding of the NYC Accelerator, outreach and education of energy end users has been grossly inadequate. Yet, success with LL97 requires engaged residents contributing to emissions reductions.

We ask the Council to request performance data from the NYC Accelerator that is funded at \$10million a year to review the impact of different program strategies. We suggest greater cooperation and collaboration amongst all parties engaged in client outreach. We further suggest funding local community-based organizations especially in disadvantaged communities to ensure a most equitable energy transition. Thank you for your time. Please reach out if you have any questions.





**Written Testimony on the Fiscal Year 2023 Preliminary Budget  
New York City Council, Committee on Environmental Protection**

**Miranda Massie, Director of the Climate Museum  
Testifying on behalf of the Climate Museum  
March 25, 2022**

Good morning Chair Gennaro and members of the Environmental Protection Committee. Thank you for the opportunity to discuss the City Council's preliminary budget today.

On top of Chair Gennaro's proven record of creative and ambitious environmental leadership, I am delighted to be speaking to members of the first New York City Council comprising a majority of women leaders. Studies have shown that governments take more climate action when there are more women in leadership positions, and I am eager to see this Council continue that trend, as the challenges we face require more urgent focus than ever before.<sup>1</sup>

In all, we on the Climate Museum board and staff know that this Committee and this Council will bring special energy and insight to addressing the critical circumstances facing New York City—including in particular the climate crisis.

New Yorkers have faced the existential crisis of climate change and its devastating impacts firsthand. Just last summer, New Yorkers lost their lives and homes and our transit and other infrastructure faced inundation in the midst of storms that grow more and more destructive every year. As the climate crisis intensifies, so does the need for dedicated, communal spaces where we can all connect, form communities, and gain understanding and resolve. **One of the essential steps toward a safe and just future is to invest in cultural work on climate.**

The Climate Museum is the first museum in the country dedicated to climate change. Our mission is to inspire action on the climate crisis with programming across the arts and sciences that deepens understanding, builds connections, and advances just solutions.

---

<sup>1</sup>United Nations Development Programme. (2011). *Human Development Report 2011: Sustainability and Equity: A Better Future for All*. 63-64. [https://hdr.undp.org/sites/default/files/reports/271/hdr\\_2011\\_en\\_complete.pdf](https://hdr.undp.org/sites/default/files/reports/271/hdr_2011_en_complete.pdf)



We prioritize equity and inclusion, and a focus on the intersection of climate and inequality through inclusive dialogue, and pathways into immersive cultural programming on climate accessible to a broad public. Our public programming takes an activist, cultural approach to community engagement with climate, recognizing that most Americans (70%) are worried about the climate crisis but are unsure how to take meaningful action.<sup>2</sup> Our work provides individuals with a sense of climate agency and commitment, empowering them to engage with climate in new and substantive ways, strengthening their own resolve and inspiring others. Cultural work like ours on climate supports the advancement of strong climate policy in the public and private sectors alike, inviting community members across the five boroughs of New York City, students of all ages, and decision makers.

Museums have the superpower of public trust and the ability to build those connections. Studies conducted over the last 20 years have shown that public trust in the knowledge museums share is ranked second only to friends and family, and that they are deemed “significantly more trustworthy” than businesses and corporations, researchers and scientists, news organizations, the government, and social media.<sup>3</sup>

New York City thrives on its cultural intersectionality; it is the cultural capital of the world. Yet there is still no designated space for New Yorkers to communally express their experiences, fears, and hopes on the climate crisis and collectively fight this major problem we all face. I’m calling on you, Council Members, to help us change that by recognizing the irreplaceable contribution that cultural work makes to this City and act on its potential to empower people to participate in meaningful action on the climate crisis. The climate leadership and the cultural leadership of our City can find a new and elevated expression together in the Climate Museum as we connect with constituencies across the five boroughs as well as domestic and international visitors. This work is urgently needed—and it also presents a profound opportunity.

Attached is a short deck outlining our current initiative to scale out to year-round space. We look forward to working with Committee Members and Council staff to advance climate education, dialogue, and engagement.

---

<sup>2</sup>Leiserowitz, A., Maibach, E., Rosenthal, S., Kotcher, J., Carman, J., Neyens, L., Marlon, J., Lacroix, K., & Goldberg, M. (2021). Dramatic increase in public beliefs and worries about climate change. Yale University and George Mason University. New Haven, CT: Yale Program on Climate Change Communication.  
<https://climatecommunication.yale.edu/publications/dramatic-increase-in-public-beliefs-and-worries-about-climate-change/>

<sup>3</sup>American Alliance of Museums. (2021). *Museums and Trust 2021*. American Alliance of Museums.  
<https://www.aam-us.org/2021/09/30/museums-and-trust-2021/>

two installations in sequence: this window installation by  
Forman, followed by Peggy Weil's 88 Cores inside the gallery.  
@ClimateMuseum inhumantime.org #InHumanTime

Zaria Forman  
**Whale Bay, Antarctica No. 4 (reproduction)**  
Original: 84x144 inches, soft pastel on paper, 2016.  
*In private collection.*  
Courtesy of Winston Wächter Fine Art.  
December 20 - January 15

THE SHEILA C. JOHNSON  
DESIGN CENTER



# THE FIRST CLIMATE MUSEUM IN THE US

## OUR VISION: PARTNERSHIP PROPOSAL



# MISSION

**Our mission is to inspire action on the climate crisis with programming across the arts and sciences that deepens understanding, builds connections, and advances just solutions.**

Mobilizing the popularity and trust held by museums, we bring people together to learn and to join the fight for a brighter future through pathways that include interdisciplinary exhibitions, art installations, interactive panels, performances, science events, youth programs, and more.

Most people in the US are worried about the climate crisis, with awareness and anxiety now at record levels, but this majority has remained largely silent and inactive.

The Climate Museum creates an inclusive, equity-centered culture for action on climate. This cultural engagement helps people turn away from resignation toward their own courage, connectedness, and agency; our visitors emphatically express the value of this work.



Imagined future space for the Climate Museum  
Sketch by FXCollaborative



# JOIN US

Over the last four years, the Museum has presented six exhibitions and more than 200 events; engaged 330 high school students in leadership, advocacy, and arts programs, and welcomed more than 81,000 visitors in person and 200,000 visitors online. We have collaborated with organizations ranging from municipal departments to international scientific research consortia to local community justice organizations.

Our work has been supported by major arts and educational funders and favorably featured in peer-reviewed museum publications and respected mainstream media outlets. What we do has helped to spark a global move toward cultural work on the climate crisis.

As the climate crisis intensifies, so does the need for communal spaces where we can all gain understanding and resolve.

**Building on what we've learned and our record of success, we are scaling the Climate Museum out to year-round space to make our path-breaking work more accessible to more people.**



Imagined future space for the Climate Museum  
Sketch by FXCollaborative

# A YEAR-ROUND HOME

By scaling out operations, the Climate Museum will offer new opportunities for **education, inspiration, collaboration, and innovation**, playing a meaningful role in New York City's post-pandemic cultural revitalization and the City's and State's global climate leadership.

## SHORT/MEDIUM-TERM GOALS (FALL 2022)

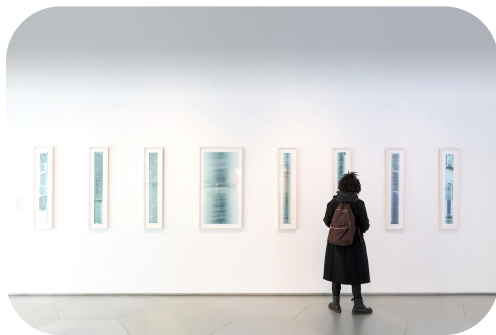
- 5,000 - 10,000 square feet in New York City
  - Single location or successive spaces
- Year-round operations welcoming 150,000 - 200,000 visitors per year
- Accessible and inclusive (including proximity to transit)
- Beautiful exhibitions
- Diverse programmatic offerings
- Create employment and volunteer opportunities

## LONG-TERM GOALS (2025 AND BEYOND)

- 30,000+ square feet in New York City
- State of the art, sustainable design



# HOW WE WORK



**1. ARTS EXHIBITIONS**



**2. HISTORY, SCIENCE & MORE**



**3. EVENTS**



**4. ACTION CENTER**



**5. YOUTH PROGRAMMING**



**6. ONLINE PROGRAMMING**





“

*Day by day we've multiplied our actions, replacing our despair with determination.*

— Exhibition Visitor

“

*The Climate Museum is clearly a leader in the movement that might just save us from ourselves.*

— Exhibition Visitor



“

*When you support the Climate Museum, you contribute to a chain reaction of education and activism.*

— High School Intern





# YEAR IN REVIEW: 2021

## EXHIBITIONS AND EVENTS



### TALKING CLIMATE

interdisciplinary conversations about climate and inequality on the second Friday of every month.



### PARTICIPATORY ARTS

*Beyond Lies*, campaign with artist and data journalist Mona Chalabi, to boost media literacy on fossil fuel disinformation via a series of posters and workshops throughout summer and fall.



### CLIMATE WEEK NYC

panel presentation, mainstage talk, book launch, and international photography exhibition at NYC's Javits Center mainstage in September.



### PUBLIC INSTALLATION

*Low Relief for High Water* with artist Gabriela Salazar in October. This work explores the feeling and idea of home in the climate change era and was presented in NYC's Washington Square Park.



### DOCUMENTARY FILM

about *Low Relief for High Water* and the Climate Museum—an award winning team is making a short film that will be shown in multiple venues in 2022.

# ROADMAP: 2022

## EXHIBITIONS AND PROGRAMMING OPPORTUNITIES



### DISCUSSION SERIES

featuring quarterly conversations on the latest in climate arts and culture.



### POP-UP LAUNCH

for the Climate Museum's first dedicated year-round space — 5,000 - 10,000 square feet of temporary space featuring vibrant, diverse programmatic offerings.



### EXHIBITION

on Governors Island from June to October, attracting thousands of visitors with interactive displays on the intersection of climate and inequality and opportunities for civic action.



### ARTS PRESENTATION

with Sarah Cameron Sunde on her global performance piece 36.5, creating community space for reflecting on the natural world, September 14 with lead-up programs.



### ...AND MORE

including a collaboration with Rockefeller Center and the UN Environmental Programme for Earth Day; youth docent and leadership training program; and Climate Week programs.

# BOARD OF TRUSTEES



*"A sweeping cultural shift toward action on climate has never been more urgent or more feasible. We can and must do this together now."*

**MIRANDA MASSIE** is the Climate Museum's Director. In 2014, she left a career in social justice law to start laying the groundwork for the Museum. As a civil rights impact litigator, her honors include Fletcher Foundation, W.E.B. Dubois Institute, and Harvard Law School Wasserstein Public Interest Fellowships, as well as a Mentorship-in-Residence at Yale Law School. She is currently a public voices fellow with the OpEd Project and the Yale Program on Climate Change Communication. Her previous board service includes a Head Start organization for migrant farm families and the Center for Popular Democracy. Miranda holds a J.D. from New York University, an M.A. from Yale University, and B.A. from Cornell University. Her numerous guest teaching engagements include the Masters programs in Interaction Design at the School of Visual Arts, in Museum Studies at NYU, in Architecture and Landscape Architecture at RISD, and in Climate and Society at Columbia University. Miranda is active within several global coalitions focused on climate-oriented work in museums. She speaks frequently on the need to integrate programming on the climate crisis across the cultural sector.



*"The Museum integrates artists, poets, and musicians because their work can relate the urgency in a deeper way."*

**PETER KNIGHT** is the Board Chair of the Climate Museum and a Founder and Managing Partner at Cyan Capital Partners, which focuses on sustainable investing strategies in public and private markets. Previously he was a Founding Partner of Generation Investment Management. Prior to joining Generation, Mr. Knight was a Managing Director of MetWest Financial, a Los Angeles-based financial services company from 2001 to 2003. Mr. Knight started his career with the Antitrust Division of the Department of Justice. From 1977 to 1989, he served as Chief of Staff to former VP Al Gore when Mr. Gore was a member of the U.S. House of Representatives and later the U.S. Senate. He served as the General Counsel of Medicis Pharmaceutical from 1989 to 1991, and then established his law practice representing numerous Fortune 500 companies as named partner in a Washington D.C. law firm. Mr. Knight has held senior positions on four presidential campaigns, including serving as the campaign manager for the successful 1996 re-election of President Clinton. He is a Director of the National Park Foundation. Mr. Knight holds a J.D. from Georgetown University and a B.A. from Cornell University.

## HECTOR GONZALEZ

Chair, Global Litigation Practice at Dechert LLP

## JACQUELINE PATTERSON

Founder and Executive Director, The Chisholm Legacy Project: A Resource Hub for Black Frontline Climate Justice Leadership

## JAMES STEWART POLSHEK

Founder, Polshek Partnership Architects; Former Dean, Columbia School of Architecture (Emeritus)

## CYNTHIA ROSENZWEIG

Senior Research Scientist, The Earth Institute at Columbia University; NASA Goddard Institute

## ALAN STEEL

President and CEO, New York Convention Center Operating Corporation

## JOEL TOWERS

Professor of Architecture and Sustainable Design at Parsons School of Design, University Professor at The New School

## SARA WEINHEIMER

Founder and Executive Producer at BroadMic

# TEAM



**AKUA BANFUL**

Andrew W. Mellon Foundation  
Pre-Doctoral Fellow in Climate  
and Inequality



**TRICIA BROWN**

Director of Education and  
Engagement



**DARIAN DAUCHAN**

Senior Advisor



**TRACE DEPASS**

Teaching Artist in Residence



**JILLY EDGAR**

Special Assistant for  
Operations



**MARISA MATHÓ**

Development and Responsible  
Partnership Fellow



**MAGGIE O'DONNELL**

Research and Program  
Associate



**DILSHANIE PERERA**

Andrew W. Mellon Foundation  
Post-Doctoral Fellow in  
Climate and Inequality



**SASKIA RANDLE**

Design and Curatorial  
Associate



**ANAIS REYES**

Exhibitions Associate



**TIM SLATER**

Senior Development  
Associate

# ADVISORY COUNCIL

Our Advisory Council convenes experts from a range of disciplines, including artists, to help shape the vision for the Climate Museum. [Advisory Council Webpage](#) →



## EDDIE BAUTISTA

Executive Director, NYC Environmental Justice Alliance

*"The Climate Museum's programming engages critical issues of climate justice, boosting the general public's awareness of the connections between climate change and social equity."*

## SELECTED ORGANIZATIONS REPRESENTED:

Akerman LLP

Broadmic

Center for Climate Change Communication,  
George Mason University

Center for Sustainable Business, NYU

Change Research

Climate Central

Climate Program Office at NOAA

CodeGreen Solutions

Dechert LLP

ECCO Design Inc

Encourage Capital

Film Society of Lincoln Center

Global Strategy Group

International Refugee Assistance Project

Lamont-Doherty Earth Observatory

Moms Clean Air Force

New York City Environmental Justice Alliance

Natural Resources Defense Council

Patterson, Belknap, Webb & Tyler LLP

Program on Climate Change Communication,  
Yale University

Sabin Center for Climate Change Law,

Columbia Law School

Schindler Cohen & Hochman LLP

Sive, Paget, & Riesel PC

Storm King Art Center

The Durst Organization

The Earth Institute

The New York Aquarium and Wildlife

Conservation Society

The Wright Group

Union Theological Seminary

Via Partnership

World Resources Institute

## SELECTED INSTITUTIONAL PARTNERS



# SELECTED PRESS

[In the News Webpage →](#)

**The Washington Post**

“THE CLIMATE MUSEUM IS THE FIRST OF ITS KIND IN THE U.S.—AND ITS FOUNDER IS ON A MISSION”

**The New York Times**

“CLIMATE MUSEUM SENDS DISTRESS SIGNALS TO STIMULATE DISCUSSION”

**THE NEW YORKER**

“THE MUSEUM OF UNNATURAL HISTORY”

*The Atlantic*

“A TRIP TO A MUSEUM FOR CONVINCING AMERICANS ABOUT CLIMATE CHANGE”

**exhibition**  
A JOURNAL OF EXHIBITION THEORY & PRACTICE FOR MUSEUM PROFESSIONALS

“ACTING WITH HOPE”

**SCIENTIFIC AMERICAN**

“ARTISTS STRIVE TO MAKE CLIMATE IMPACTS ‘VISCERAL’”

**SIERRA**  
EXPLORE, ENJOY, AND PROTECT THE PLANET

“THIS MUSEUM GETS REAL ABOUT CLIMATE CHANGE”

**Sotheby's**

“ART AND THE ENVIRONMENT: MUSEUMS ADJUST TO A NEW CLIMATE”

# ETHICAL AND GOVERNANCE POLICY

**Our mission is to inspire action on the climate crisis with programming across the arts and sciences that deepens understanding, builds connections, and advances just solutions.**

We will further this mission, and the climate movement, through education and activation emphasizing justice, equity, and inclusion and elevating diverse voices across a range of issues. We hold equity at the center of our work as an essential tenet of our identity as a socially engaged, activist museum. The only sustainable climate solutions are those that address injustice on a fundamental level.

Transparency and dexterity are also fundamental to our work and progress as an organization. The climate crisis is evolving, and so must we. This requires ongoing assessment and adjustment—and above all clarity and candor. The Climate Museum received a Platinum Seal of Transparency in 2021 and 2022 from Guidestar/Candid.

**All gifts, sponsorships, and partnerships will be screened for consonance with our mission, work, and values. In particular, the Climate Museum will not partner with any organization found to have direct ties to the fossil fuel industry.**







# THANK YOU FOR YOUR CONSIDERATION!

Please keep in touch: [mmassie@climatemuseum.org](mailto:mmassie@climatemuseum.org)



500 25th Street  
Brooklyn, New York  
11232-1755  
green-wood.com

---

The Green-Wood  
Cemetery  
(718) 768-7300

---

The Green-Wood  
Historic Fund  
(718) 210-3080

Good afternoon Chair Gennaro and esteemed members of the committee. My name is Joseph Charap, and I am the Director of Horticulture at Green-Wood Cemetery. We are a National Historic Landmark and a 478-acre greenspace in the heart of Brooklyn.

Why is a cemetery providing testimony before the council about matters of environmental protection? In 1838, Green-Wood Cemetery was founded as the first, large-scale greenspace in Brooklyn and New York City. Today, as New York's largest contiguous private landowner, we've embraced our legacy as a pioneering natural landscape and are committed to leveraging our acreage to support the resilience of the city. We are here to announce that we want to help in whatever way we can, right now.

Not to be alarmist, but we're at the most critical time in the history of humanity for governments, public and private institutions, and all citizens to prepare for and to take immediate action to counter the threats posed by climate change.

What can we do? For starters: stormwater.

Through a grant awarded by New York State's Green Innovation Grant Program, in the next few years Green-Wood will design and implement 22,750 sf. of bioretention basins or rain gardens on our grounds, making it one of the largest bioretention projects in New York City. The goal is to reduce our volume of stormwater runoff by a whopping 6.8 million gallons annually. We hope that our work sets a model for the city's largest greenspaces, which include cemeteries, parks, and even golf courses!

Next up: maintaining our urban forest.

As an arboretum, our living collection of over seven thousand trees sequesters over 250,000 lbs. of carbon annually. To sustain our urban forest, we must continue to plant trees. Thanks to a grant from the New York State Department of Environmental Conservation, we will do just that this spring, planting around nearly 300 trees throughout our grounds.

But what about the next generation of stewards? We are proud to announce this year's launch of a comprehensive environmental education program at Green-Wood. The program will first present a series of middle school workshops focused on biodiversity and climate change. We are planning to expand to offer programs for Pre-K through 12th grade, including camps and after-school.

So stormwater, tree planting, and education. What's next: knowing we're not alone: we stand with others who are committed to ensuring NYC's climate resilience and are proud members of the Forest for All NYC coalition, which seeks to ensure that the urban forest provides New



500 25th Street  
Brooklyn, New York  
11232-1755  
green-wood.com

---

The Green-Wood  
Cemetery  
(718) 768-7300

---

The Green-Wood  
Historic Fund  
(718) 210-3080

Yorkers with its crucial benefits in a manner that advances equity, health, quality of life, and resilience. We fully endorse the goal of establishing a citywide goal of 30% tree canopy cover by 2035 as a critical step in ensuring that the benefits of the urban forest are available to all New Yorkers.

Pollinators mean happy ecosystems. As members of the NYC Pollinator Working Group, we support their goal to be a model for creating pollinator sustainability in urban environments and it is one that informs that plants we select for our ongoing landscape initiatives.

We all can do better, together: no green space in NYC, public or private, big or small, is an island. What happens at Green-Wood does not just affect us, but all those who live around us. We may be private, but please let us know what we can do to help the public good.

I'd like to personally invite members of this committee to visit Green-Wood and let us know how we can help advance the city's priorities. We are your teammates! My contact information is in the printed testimony and I look forward to welcoming you all to Green-Wood soon.

Thank you.

Sincerely,

Joseph Charap

My name is Matt Malina, Director NYC H2O.

NYC H2O is an environmental education and stewardship organization that works in all five boroughs.



I am here today to talk about our citywide Ecological Sustainability Proposal with Jamaica Bay-Rockaway Parks Conservancy, Bronx River Alliance, Natural Areas Conservancy, and Van Cortlandt Park Alliance. As part of the Greener NYC initiative, we propose a citywide ecological sustainability program to protect the City's valuable ecosystems, mitigate increasing climate change impacts, and improve open spaces and waterways. Our coalition has formulated a citywide plan that will engage the public in environmental education, stewardship, and provide green jobs and training designed to improve the ecosystems in public spaces, parklands, and wetlands.

According to our partners at the Natural Areas Conservancy, there are 20,000 acres of forests and wetlands in NYC. Divided across these 20,000 acres, our proposal comes out to under \$90 an acre. NYC H2O has a successful track record of organizing cleanups on beaches across the city and at the Ridgewood Reservoir in Highland Park. Bringing together hundreds of volunteers a year, we are able to do the same work the City normally spends 4-5 times more on through contract work.

The benefits are more than just cost savings: our work provides New Yorkers the opportunity to get involved in their local communities, experience our City's natural environment, and learn something new.

With this funding, the coalition will

- Remove invasive species and plant native species in parks and wetlands in all five boroughs
- Hire 15 full-time environmental stewards from the communities surrounding these natural areas and provide green job training
- Facilitate 400 environmental STEM field trips bringing over 7,500 public school students from 284 schools (primarily Title I and III) to New York City parklands
- Organize year-round weekly volunteer stewardship events recruiting 3,000 volunteers
- Engage the public in programming that brings them into their local parks

We believe that getting people out and into nature is the best way to foster a connection with the environment and encourage community engagement. Thank you for your time and consideration; we have submitted a longer proposal as written testimony.



**New York Lawyers  
for the Public Interest, Inc.**

151 West 30<sup>th</sup> Street, 11<sup>th</sup> Floor

New York, NY 10001-4017

**Testimony of Anthony Karefa Rogers-Wright  
Director of Environmental Justice at New York Lawyers for the Public Interest  
New York City Council Committee on Environmental Protection,  
Preliminary Budget Hearing  
March 25, 2022**

Thank you, Chairman Gennaro and members of this committee. Last month the United Nations Intergovernmental Panel on Climate Change released its most dire report yet, warning that irreparable harms await low lying cities like New York if we don't expeditiously reduce greenhouse gas emissions that continue to scorch our atmosphere and inflict disproportionate harms on the most vulnerable populations – specifically those residing in disadvantaged and other environmental justice communities.

This committee, this City Council, and this Administration all have incumbent responsibilities to better protect these communities in ways that address and dismantle decades of environmental racism and other policies that continue to expose our City's Indigenous, Black, Brown, and poor Asian and white communities to iniquitous conditions, pursuant to the State's Climate Leadership and Community Protection Act, as well as a panoply of local policies including, but not limited Local Law 97, and Local Law 199, both promulgated in 2019. To this end, it's disappointing and unacceptable that this committee has still not released a Preliminary Budget Report. The climate crisis is here, environmental racism is here, and this is no time to act in an extemporaneous manner - lives and the livelihood of our city are on the line.

When Mayor Adams announced his budget, many New Yorkers were surely befuddled at how the administration celebrated cuts in spending at a time when our city is still reeling from a global pandemic that disproportionately inflicted New York's Black, Brown, and poor communities, as well as a climate-exacerbated event, Hurricane Ida, that took 16 lives. The profound and visceral images of people struggling to escape their basements and submerged city streets have left indelible scars on the consciousness of our city and triggered trauma for those directly and indirectly impacted by Superstorm Sandy and Hurricane Maria, especially "Nuyorican" residents of the city. And while it is pleasing to see that the Department of Environmental Protection (DEP) is one of the 14 city agencies with budgets over \$1 Billion, NYLPI is concerned that DEP is still not adequately funded to efficaciously address and dismantle challenges that have cost and are costing the City 10s of billions of dollars.

In order to properly and expeditiously implement key laws that will deliver both climate action and environmental justice, DEP must work in concert with other key agencies including, but not limited to the Department of Sanitation – to ensure the City follows through on the long-delayed Local Law 199, Commercial Waste Zones; the Department of Buildings – to ensure the City follows through on Local Law 97, the Climate Mobilization Act; and the Department of Corrections to ensure the successful transfer of the ignominious

Rikers Island to the Department of Citywide Administrative Services pursuant to Local Law 16, the Renewable Rikers Act. It should be noted that the city is already in violation of this law as the Rikers Island Advisory Committee has still not been selected or convened its first meeting, which was supposed to happen last August.

For these reasons and more, New York Lawyers for the Public Interest (NYLPI) calls on this committee to press Mayor Adams to provide adequate funding for DEP. At the height of a climate crisis that scientists are telling us we have less than a decade to address, it's erroneous for DEP's budget to be five times less than NYPD's. Because for all the talk about public safety, while there's no evidence that increased spending on police correlates to less crime, it's irrefutable that more investments in environmental protection are necessary to keep us safer from the climate crisis and environmental injustices. The people's government must not commit crimes of complacency in the form of inadequate, parsimonious budgets that don't meet the scale of the climate and environmental justice challenges facing our city.

The Big Apple is on the brink of rotting due to extreme heat, extreme storms, extreme environmental racism, and extreme inaction. However, City Council, this and other committees, and properly funded City Agencies can turn the tide and ensure a more sustainable city that fosters a Just Transition to regenerative communities rooted in equity and inclusiveness.

Thank you.



**NYC Council Preliminary Budget Hearing –  
Committee on Environmental Protection  
March 25, 2022**

**Written Testimony by the New York State Nurses Association**

**(Part of the Climate Works for All Coalition)**

**Presented by: Nella Pineda-Marcon, BSN, RN-BC**

**NYSNA Board of Directors, Secretary; Chair of the NYSNA  
Climate & Environmental Justice Committee**

My name is Nella Pineda-Marcon, and I work as a registered nurse at Mount Sinai Morningside and Mount Sinai West. I am also a proud union member of the New York State Nurses Association. I serve as an elected Director and Secretary of the NYSNA Board, and am Chair of NYSNA's Climate & Environmental Justice Committee. NYSNA represents 42,000 nurses across New York State, including 25,000 RNs in New York City. This includes nurses in all the city's public hospitals.

As nurses on the frontlines of patient care, we have seen up close the horrors of the COVID-19 pandemic. Over 67,000 people in New York City have died and countless others have been left wounded, physically and emotionally. We have seen the deep impact that the pandemic has had on low-income communities of color. The disparities are all-encompassing, affecting marginalized communities physically, mentally, and economically. We know that this is just a preview of what lies ahead if we do not take climate change seriously. It is critical that we heed the warning.

In fact, we have already seen the destruction that climate change and environmental degradation has had on the health of our patients. Increases in extreme heat waves have contributed to an increase in hypertension. Pollutants are being discharged into our city air, causing a steady increase in chronic asthma conditions in our most vulnerable communities. In addition, these communities also face environmental injustices like contaminated water supplies and tainted



soil. They are also the ones that are usually hit the hardest by catastrophic events such as Superstorm Sandy. This is not OK.

We are proud members of the Climate Works for All coalition, a coalition of unions, climate and environmental justice organizations, and advocacy groups committed to addressing the impact of climate change. We have fully endorsed Local Law 97 (LL97) and helped to get it passed in 2019 with the landmark Climate Mobilization Act.

Studies show that 70% of the city's Greenhouse Gas emissions are produced by the city's office and residential buildings. LL97 ensures that building owners make the necessary changes they need to make in their buildings through retrofits so that they can be more energy efficient. In order to see that LL97 is as successful as we know it can be, we must fund the implementation process appropriately.

We know we need increased funding in the FY 2023 NYC budget to increase the staff at DOB's Office of Building Energy and Emissions Performance (OBEEP). This office is responsible for overseeing the implementation process of LL 97. The first compliance deadline for building owners is coming up in 2024. This will be here before we know it. We have less than 2 years to make sure that thousands of buildings are in compliance!

OBEEP must expand its outreach across all sectors. Building owners need to be fully aware of the law and what their obligations are in order to meet their compliance responsibilities. There are also funding opportunities out there for them to take advantage of and other resources such as the NYC Accelerator program. In addition we need NYC Accelerator to be fully transparent on its progress in assisting with the goals laid out in LL97.

Our hope is that NYC will focus on what we know we can actually do to solve these complex problems rather than pour money and resources into things we would consider false solutions. These ineffective approaches include policies like carbon trading that have proven to actually increase pollution, particularly in vulnerable communities that are bearing the brunt of environmental pollution and climate change. We are concerned such a system will lead to polluting buildings dodging the necessary work they need to do to fix the problem and will continue to leave impacted communities vulnerable.

As nurses we are always making the link between climate and environmental justice and public health. LL97 will not only help to move us off fossil fuel dependency and combat climate change, but will create an immediate shift in health outcomes for those that are living in our most vulnerable communities.

We must treat this climate crisis like the emergency it is. We must do better for our children, our patients, and our communities. Fully implementing LL97 is a solid step forward for the sustainability of New York City and the health of its residents. We also have an opportunity to act as a catalyst for our state, the country, and the world. We urge you increase funding to implement LL97 and enforce compliance by building owners.

Thank you for your time and consideration today.

## **The Real Estate Board of New York to The Committee on Environmental Protection of the New York City Council Regarding the FY 2023 Preliminary Budget**

The Real Estate Board of New York (REBNY) is the City's leading real estate trade association representing commercial, residential, and institutional property owners, builders, managers, investors, brokers, salespeople, and other organizations and individuals active in New York City real estate. REBNY thanks the New York City Council Committee on Environmental Protection for the opportunity to provide testimony regarding the FY2023 preliminary budget, particularly regarding the funding we believe necessary for the implementation of Local Law 97-2019 (LL97).

For FY2023, REBNY encourages that additional funding be provided for the Department of Buildings to fund the full implementation of Local Law 97 of 2019 (LL97). Reaching our shared goals requires collective effort from both the public and private sectors to deal with the crisis at hand. REBNY supports City and State emissions reductions goals, and we are proud to represent members who are innovating in the fields of building construction and technology to reduce carbon footprints, increase energy efficiencies, and taking concrete steps to strengthen climate resilience. Adequate funding for the Office of Building Energy and Emissions Performance (OBEEP) at the Department of Buildings is critically important to realizing these goals. OBEEP was created to ensure implementation of LL97, including oversight of advisory boards currently facilitating the law's technical details, and ultimately executing compliance as the law requires, beginning in 2024. As such, funding is required for the Office to ensure the successful implementation of the law.

REBNY along with other stakeholders including 32BJ, ConEd, the Regional Plan Association (RPA), the Sierra Club, Urban Green Council, the National Resources Defense Council (NRDC) and New York Communities for Change recently penned a letter to the City Council calling for OBEEP to be prioritized for funding. Specifically, funding is needed for:

- Analyses required under the law. Local Law 97 requires OBEEP to work with the advisory board to develop recommendations on a wide range of complex subjects, such as the economic impact and benefits of achieving the energy and emissions performance requirements. The Office needs staff and funding to deliver on that mandate.
- Rulemaking, compliance, and enforcement. Major details of the law must be settled in the next 10 months, and in less than two short years, the law's carbon limits will take effect. A fully staffed OBEEP is vital to finalizing the law's technical details and issuing rules that will ensure a smooth and timely rollout and effective compliance for up to 50,000 buildings.
- Outreach and education. OBEEP needs dedicated staff and funding to support a major market transition for tens of thousands of buildings. The office needs resources to help building owners understand their obligations and pathways to compliance, and to coordinate with existing support

entities like the NYC Accelerator. This is particularly important for harder-to-reach sectors, like co-ops and smaller buildings with fewer resources.

REBNY joins this group of stakeholders in recommending that OBEEP staffing is increased by an additional 10 to 15 staff lines to carry out the activities described above. In addition, REBNY also shares the belief that funding should be secured to ensure the City's own requirements under Local Law 97 are met, which include reducing emissions from government operations 40 percent by 2025 and 50 percent by 2030. Since DOB is projected in FY23 to generate \$338.6 million in revenue from licensing, construction permitting, franchise fees and other sources,<sup>1</sup> and with total expenditures projected to be \$216.1 million, REBNY believes this would be funding well utilized.

We look forward to working with this committee along with the Housing and Buildings Committee in their capacity as overseers of DOB on these very important issues. Thank you for your consideration on these points.

## CONTACT:

### **Ryan Monell**

Vice President, Government Affairs  
Real Estate Board of New York

212.616.5247  
rmonell@rebny.com

---

<sup>1</sup> Report on the Fiscal 2023 Preliminary Plan and the Fiscal 2022 Mayor's Management Report for the Department of Buildings



**Testimony of Urban Green Council before  
New York City Committee on Environmental Protection  
Re: NYC FY23 Preliminary Budget Hearing**

**March 25, 2022**

**Good morning Chair Gennaro and members of the Committee:**

Thank you for the opportunity to speak to you today. My name is Danielle Manley and I am the Policy Manager at Urban Green Council, an environmental nonprofit working to reduce the carbon footprint of New York City's buildings.

I'm speaking today to stress the importance of robust funding for the implementation of New York City's groundbreaking building emissions law – Local Law 97 – in the upcoming Fiscal Year 2023 New York City Budget. We provided similar comments at the Housing and Buildings Committee budget hearing, which has direct oversight of the Dept. of Buildings, but feel it is equally important to highlight for this Committee.

As you may know, buildings contribute two-thirds of the city's total greenhouse gas emissions. Local Law 97 is the centerpiece of the city's climate strategy for large buildings and is crucial to delivering NYC's low-carbon future. If successfully implemented, Local Law 97 will not only drive carbon reductions in up to 50,000 of New York's biggest buildings, it will also bring important co-benefits, like green jobs, lower pollution and greater health and comfort to New Yorkers across the five boroughs.

The Department of Buildings Office of Building Energy and Emissions Performance (OBEEP) has been hard at work successfully facilitating a large advisory board process that will shape many of the law's technical details. That Office's responsibilities are ramping up significantly, with the first compliance period just two short years away. At that time, thousands of building owners will be responsible for compliance, and they are looking for resources and coordination from the Office. In the meantime, OBEEP's staff must finish conducting analyses required by the law, complete the rulemaking process, deliver outreach and education to owners, and prepare for substantial review and enforcement efforts.

**Local Law 97 is launching a market transformation. Successfully implementing this law is no small task. It is vital that the DOB's Office of Building Energy and Emissions**

**Performance be allocated more staff and resources in this year's budget to meet this charge and to ensure a smooth and successful rollout of the law.**

We and many other organizations stressed the importance of this funding in last year's budget cycle. We know that a wide variety of groups from diverse political backgrounds continue to emphasize the need to fully fund implementation of Local Law 97. The small sums required to provide full staffing and sufficient resources will repay many times over by driving successful compliance, job creation and economic development.

New York City must meet our shared climate commitment to reduce carbon emissions 80 percent by 2050. Increased funding for this office is essential to continued climate progress, and to ensure all New Yorkers benefit from a recovery that boosts green jobs and healthy, low-carbon and efficient buildings.

Thank you for the opportunity to comment today.

**CONTACT:**

Danielle Manley

Manager, Policy

Urban Green Council

[dm@urbangreencouncil.org](mailto:dm@urbangreencouncil.org)





March 25, 2022

**Founders**

Vernice Miller-Travis  
Peggy M. Shepard  
Chuck Sutton

**Testimony of Lonnie J. Portis, Environmental Policy and Advocacy  
Coordinator at WE ACT for Environmental Justice**

**To the New York City Council Committee on Environmental  
Protection**

**Board of Directors**

*Chair*

Jeff Jones

**Regarding the Mayor's Preliminary Budget for 2023 and Financial  
Plan through 2026**

*Secretary*

Nancy E. Anderson,  
Ph.D.

Dear Committee Chair James Gennaro and Committee on Environmental  
Protection:

*Treasurer*

Ken P. Mak

WE ACT for Environmental Justice is writing to testify on the need to  
invest in the City's future by funding environmental and climate policies  
and programs. WE ACT, an organization based in Harlem, has been  
fighting environmental racism at the city, state, and federal levels for more  
than 30 years.

*Members*

Lakeisha M. Aquino  
Peter Bokor  
Dennis Derryck,  
Ph.D.  
David Evans, Ph.D.  
Abiola Fasehun, Esq.  
Eric A Goldstein, Esq.  
Neetin Gulati  
Christy Loper  
Sarangi Iyengar  
Marielle Villar  
Martiney  
Crystal Romeo  
Upperman  
Vernice Miller-Travis  
Phillip Morrow  
Dart Westphal

We are in the midst of a worsening climate crisis and the City must do  
everything it can to reduce emissions, decarbonize our buildings, remediate  
environmental health hazards and more; all with environmental and climate  
justice as the foundation of this work. I strongly urge this committee to  
make this budget as climate forward as possible which means bold,  
necessary investments in the following policies and programs.

**Funding the Mayor's Office Of Climate And Environmental Justice**

There are countless environmental justice issues that need to be identified  
and addressed in NYC. The Environmental Justice Program has the  
potential to have a significant, positive impact in improving the lives of  
New Yorkers who have been systematically denied power and visibility  
when shaping their communities and neighborhoods. The Environmental  
Justice Program does require funding in order to right the wrongs of the  
past and present and to prevent more injustice in the future.

*Executive Director*

Peggy M. Shepard

Since the inception of Local Laws 60 & 64 there have been many challenges  
in achieving the City's environmental justice goals due to lack of financial  
support for the Environmental Justice Program. Challenges include:



- inability to do effective outreach to environmental justice communities in order to have meaningful conversations, develop relationships with community stakeholders and build an inclusive decision making processes;
- proactively engaging and collaborating with local and community based environmental justice groups and;
- completing the Environmental Justice for All Report mandated by Local Law 60

These challenges obstruct the goals of the Environmental Justice Program and lack of funding will further exacerbate the environmental injustices that impacted communities face. The Mayor's commitment to environmental justice must be supported by this committee.

**WE ACT asks for funding of \$1M to the Environmental Justice Program for fiscal year 2023.** This will enable the Mayor's Office of Climate and Environmental Justice to properly execute their plans to consult impacted communities and to do meaningful outreach as outlined by Section 3-1006-f of Local Law 64 (2017).

### **Childhood Lead Poisoning Prevention**

WE ACT led advocacy to pass Local Law 1. [Local Law 1](#) (LL1), passed in 2004, aimed to eradicate childhood lead poisoning by 2010. Also, alongside allies, we have passed several new lead bills into law to close loopholes left in LL1. However, there has been a lack of enforcement for this law for over a decade, as found by the Comptroller in a 2019 report.

Also in 2019, [NYC Local Law 65](#) was enacted to publicly share what the Department of Environmental Protection (DEP) knows about the material that water service lines are made of and where they are located in an [online interactive map](#). The data, as well as [educational resources](#) and tools for preventing lead contamination, was released in August 2021 and will be updated every six months based on the DEP's "best available records." From the city data, we learned that at least 137,000 (16%) of water service lines are potentially lead and at least 231,000 (27%) of water service lines are made of an "unknown" material. However, DEP announced after its first report that it would not be updating further.

While NYC has an inventory and a map, DEP must create its plan to replace lead service lines by:

1. Taking responsibility for the replacement of privately owned LSLs.



2. Accessing new federal funding coming to New York State that will reimburse the city to replace privately owned lead service lines.
3. Quickly identifying what material the nearly 27% or 230,000 “unknown” water service lines are to ensure that LSL replacement work is done efficiently.
4. Following series of best practices, developed by advocates, to fully protect public health and prioritize the communities most harmed by the lead poisoning crisis, including, but not limited to:
  - a. Prohibiting partial LSL replacements.
  - b. Prohibiting replacing LSLs with service lines made of plastic.
  - c. Using ratepayer revenue to conduct LSL replacements.
  - d. Replacing any LSLs uncovered when upgrading water mains or responding to service line leaks.
  - e. Visually inspect all potential lead or unknown service lines on a block where it is conducting an LSL replacement and replace any LSLs discovered.

### Local Law 97

The passage of the landmark Climate Mobilization Act in 2019, was a significant step in the right direction to reduce NYC’s greenhouse gas emissions. Buildings across New York city contribute to [over 70% of the city’s GreenHouse Gas emissions](#). Local Law 97 of 2019 (LL97) requires building owners to meet emission reduction targets by optimizing building energy systems to make them more efficient. This year we are fighting for funding to ensure that we make significant progress in implementing LL97 equitably and create thousands of good green jobs here in New York City.

**There needs to be adequate funding in the FY 2023 New York City budget for increased staff at DOB’s Office of Building Energy and Emissions Performance (OBEEP) which is responsible for "Overseeing implementation of building energy and emissions performance laws and policies for existing buildings, new construction and major renovations" among other tasks.** The first compliance deadline for building owners is coming up in 2024, which leaves the city less than two years to ensure that the numerous technical details required for the implementation of the law are worked out. Staffed at the current capacity of six, this will not be sufficient going forward as there is much to do in order to work with the Advisory Board on recommendations and finalize numerous technical details to ensure the effective compliance of thousands of buildings.



Environmental justice communities have long held a deep skepticism of market-based solutions such as carbon trading to address the climate crisis. We reject these “false solutions” to addressing the deeply rooted injustices that disproportionately harm low-income communities and communities of color. Existing trading schemes have yielded documented increases in pollution for environmental justice communities. We are concerned that any emissions trading scheme will allow large, polluting buildings to avoid making deep energy efficiency improvements by engaging in a complex trading system that will be difficult to enforce, leaving environmental justice communities vulnerable to continued localized pollution and further contributing to GHG emissions that fuel the climate crisis. We oppose the speculative “trading building emissions” proposal, which doesn’t exist anywhere in the U.S., requires City and State legislative approval, and fails to account for how such an unproven trading scheme will lead to equity, rather than wholesale confusion among property owners.

Carbon pricing systems assign a monetary value to carbon emissions and assume that market forces will drive significant emissions reductions as highly-emitting polluters compete in the market. There are a variety of market-based pricing schemes, such as net zero emissions, carbon offsets, carbon pricing, carbon trading systems, and offset tax systems, that all expand fossil fuel reliance and sacrifice neighboring communities to high burdens of pollution. While carbon pricing, trading, and offset schemes often claim to distribute revenues to environmental justice communities, these funds never justly compensate for the destruction wrought by the extraction and pollution that is the source of that revenue.<sup>1</sup>

Attached is WE ACT’s [Environmental Justice Leadership Forum False Clean Energy Solutions for Environmental Justice Communities Fact Sheet](#), listing all of the “false solutions” including carbon trading.

### **Green Healthy Schools**

WE ACT is a member of ALIGN’s [Climate Works for All](#) (CW4A) coalition: A coalition of environmental justice advocates, community groups, and labor unions joined together to fight climate change and income inequality in NYC by demanding a Just Transition for workers and environmental justice communities. CW4A campaigns move us towards an equitable economy, a resilient, livable and healthy climate, and must

---

<sup>1</sup><https://www.ienearth.org/wp-content/uploads/2017/11/Carbon-Pricing-A-Critical-Perspective-for-Community-Resistance-Online-Version.pdf>



prioritize justice for low income communities and communities of color across New York City.

New York City public schools are among [the biggest public climate polluters and account for one-quarter of all city-owned buildings](#). Installing solar panels will reduce carbon emissions, and create opportunities for students to learn about the importance of sustainability and climate action. The City has an opportunity to lead in building decarbonization goals by ending the use of fuel oil and natural gas in public school buildings and upgrading to electric. This would have a serious impact on reducing city-owned building emissions. In addition, conducting deep retrofits will result in at least 50% reductions in energy consumption, enhance daily life and health in public schools, and support student performance, engagement, and classroom behavior.

Students of color and students from low income homes already take on a disproportionate burden of environmental health hazards due to cumulative impacts; their schools should not be one of these hazards. Evidence suggests that the installation of air control systems, like HVACs, along with reliable indoor air quality monitoring can [minimize the airborne transmission of COVID-19](#). [Green, Healthy Schools](#) will allow the city to critically address long term public health disparities concentrated in environmental justice communities, which is even more critical as the city removes school mask mandates despite [disparities in student vaccination rates](#).

For these reasons and more, **WE ACT strongly supports CW4A's [Green, Healthy Schools](#) campaign which calls on the City to invest \$14.5 billion by 2030, or an annual investment of \$1.8 billion for the next 8 years, to install solar panels and conduct deep retrofits in public schools.**

### **Electric School Buses**

Buses are a primary source of air pollution, and developing children are especially vulnerable to the negative health impacts of poor air quality - such as asthma, emphysema, bronchitis, heart attacks, lung cancer, and premature death. New York City Council has passed [Intro 455A](#) (Local Law 120) which mandates that all school buses be electric by 2035. The City must keep the [current commitment](#) to electrifying the New York City school bus fleet, ensuring and advocating for the prioritization of environmental justice neighborhoods during implementation. It is



imperative that we fund the equitable implementation of this law that this committee worked hard to pass.

Alongside the [NYC Clean School Bus Coalition](#), some of the plans we have for this year are to

- advocate for funding of EV chargers and other necessary infrastructure,
- convene important stakeholders, such as parents, bus companies and contractors, to
- discuss how we can transition smoothly,
- continue prioritizing communities and school districts in environmental justice neighborhoods and
- work with school bus worker unions and the city to ensure that bus drivers and technicians receive proper EV training

Again, thank you for the opportunity to testify. I am personally highly motivated and looking forward to working with the Environmental Protection Committee on these and many more priorities.

**Lonnie J. Portis**

Environmental Policy and Advocacy Coordinator

**WE ACT for Environmental Justice**

1854 Amsterdam Avenue, 2nd Floor

New York, NY 10031

646-866-8720 | [lonnie@weact.org](mailto:lonnie@weact.org)





## **False Clean Energy Solutions for Environmental Justice Communities**

The concept of “clean” energy is a vague phrase used to allow energy sources that are harmful to planetary and human health, but less harmful than typical fossil fuels as part of climate solutions. Energy sources should not be classified as “clean” energy if they increase pollution burden, expand fossil fuel reliance or infrastructure, or exacerbate health risks, such as technologies including but not limited to; geoengineering, bioenergy, incineration, cap and trade/ carbon markets, nuclear energy, landfill gas, climate smart agriculture, liquified natural gas, fossil fuel heat waste, clean coal, coal waste and industrial carbon capture and sequestration.

### **Net Zero Emissions/Carbon pricing/offset tax**

Carbon pricing systems assign a monetary value to carbon emissions and assume that market forces will drive significant emissions reductions as highly-emitting polluters compete in the market. There are a variety of market-based pricing schemes, such as net zero emissions, carbon offsets, carbon pricing, carbon trading systems, and offset tax systems, that all expand fossil fuel reliance and sacrifice neighboring communities to high burdens of pollution. While carbon pricing, trading, and offset schemes often claim to distribute revenues to environmental justice communities, these funds never justly compensate for the destruction wrought by the extraction and pollution that is the source of that revenue.<sup>1</sup>

### **Geoengineering**

Geoengineering refers to a set of technological “solutions” that are funded and driven by the fossil fuel industry to deliberately alter the Earth’s systems on a global scale to counteract the worst impacts of the climate crisis.<sup>2</sup> Many of these solutions are untested, unstoppable once initiated, and since they have global impacts, disregard the sovereignty of First Nations, countries, and frontline communities and threaten democratic governance.<sup>3</sup>

### **Carbon Capture and Storage**

Carbon Capture and Underground Storage (CCUS) is a process that entails collecting carbon dioxide (CO<sub>2</sub>) from an industrial facility, compressing it to a liquid-like state for pipeline transport, and then pumping it underground. Scientific research shows CO<sub>2</sub> loss can occur at every step of the CCUS process.<sup>4</sup> CO<sub>2</sub> leakage underground poses serious environmental and health risks for nearby

---

<sup>1</sup><https://www.ieneearth.org/wp-content/uploads/2017/11/Carbon-Pricing-A-Critical-Perspective-for-Community-Resistance-Online-Version.pdf>

<sup>2</sup> <https://climatejusticealliance.org/wp-content/uploads/2020/11/Hacking-the-Planet-v41.pdf>

<sup>3</sup>[https://climatefalsesolutions.org/wp-content/uploads/2021/04/HOODWINKED\\_ThirdEdition\\_On-Screen\\_version.pdf](https://climatefalsesolutions.org/wp-content/uploads/2021/04/HOODWINKED_ThirdEdition_On-Screen_version.pdf) and <https://www.nature.com/articles/s41559-017-0431-0>

<sup>4</sup> <https://www.frontiersin.org/articles/10.3389/fenrg.2018.00040/full>



communities that include the contamination of underground sources of drinking water and breaking down rock formations to release benzene and other toxins.<sup>5</sup>

### **Incineration**

Incineration for energy, often referred to as “Waste to Energy” (WTE) is when waste is burned at high temperatures for energy production. 79% of the 73 incinerators remaining in the U.S. are located in low-income communities and/or communities of color. Incineration is the most costly form of energy.<sup>6</sup> Therefore energy created from incineration could pose a significant financial barrier to community members, many of whom are already suffering from the health impacts associated with the facility.

### **Fossil Fuel Heat Waste**

Fossil fuel heat waste solutions seek to increase the efficiency of fossil fuel power plants by capturing and using waste heat from the combustion of fossil fuels to provide heat to homes, offices, and other buildings. These marginal efficiency gains don’t erase the fact that fossil fuel plants are the world’s largest contributor to air pollution. Making these plants more efficient doesn’t stop the health risks associated with air pollution exposure.

### **Landfill gas**

Landfills naturally produce gases that contain a mix of methane, carbon dioxide, nitrogen, oxygen, water vapor, sulfur and hundreds of other contaminants of various degrees of toxicity. Burning landfill gas is dirtier than burning natural gas, since it emits more toxic pollution per kilowatt hour than natural gas does.<sup>7</sup> What’s more, as landfills tend to be concentrated in low-income, disadvantaged communities and communities of color these communities are forced to bear even more pollution and health risks from burning landfill gas.<sup>8</sup>

### **CAFOs/Climate Smart Agriculture**

Concentrated Animal Feeding Operations (CAFO) are a type of large-scale agricultural facility that raises mostly dairy cows, hogs, and chickens at high density for the consumption of meat, eggs, and milk. CAFOs surround and are in close proximity to low-income, mostly nonwhite rural communities. Residents live with noxious odors and swarms of insects from the large amounts of manure. Due to the repelling conditions, health deteriorates and property values degrade. Additionally, rural communities are especially vulnerable to water contamination because many rely on private well water, which is not government regulated.<sup>9</sup>

---

<sup>5</sup> [https://www3.nd.edu/~kshradet/pubs/final-pdf-ej-nuke-siting-wi-Alldred\\_08-0544.pdf](https://www3.nd.edu/~kshradet/pubs/final-pdf-ej-nuke-siting-wi-Alldred_08-0544.pdf)

<sup>6</sup> [https://www.eia.gov/outlooks/capitalcost/pdf/updated\\_capcost.pdf](https://www.eia.gov/outlooks/capitalcost/pdf/updated_capcost.pdf)

<sup>7</sup> <http://www.energyjustice.net/lfg>

<sup>8</sup> <https://core.ac.uk/download/pdf/72837516.pdf>

<sup>9</sup> <https://theconversation.com/rural-americans-struggles-against-factory-farm-pollution-find-traction-in-court-98226>



## **Nuclear**

Nuclear energy is often lifted up as a “zero-emission” form of energy production, since it doesn’t create many of the harmful by-products that fossil fuel production creates.<sup>10</sup> However, Nuclear energy is not a clean form of energy since it creates risks along every part of the production chain. Uranium miners have an increased likelihood of lung cancer, pneumoconiosis, tuberculosis, injury, and blood diseases.<sup>11</sup> Toxic waste is hard to dispose of leading to an increase in the amount of waste and increasing the odds of exposure to radioactive material. Hazardous waste facilities, including nuclear waste facilities, are disproportionately located in low-income communities and communities of color.<sup>12</sup>

## **Bioenergy**

Bioenergy is an umbrella term that includes both biomass (the burning of organic materials for electricity and heating) and biofuel (converting organic materials to liquid to burn as transportation or heating fuel).<sup>13</sup> These technologies are heralded as green and renewable, but it’s important to underscore that they produce more greenhouse gas and other toxic emissions than fossil fuels, destroy forests and crops to create fuel, exacerbate deep historical injustices and inequalities, and are very expensive to maintain.<sup>14</sup>

## **Power to Gas**

Technologies exist to transport gas and surplus electrons from the electricity network that produce hydrogen or methane transported through cables at their source directly to destinations that want to use it as power. While this technology claims to be a tool to increase the efficiency of natural gas production and decrease transportation costs, installing high-power lines necessary to transport this gas directly to power other energy generation systems or buildings are almost as expensive as pipelines, so investing in gas-to-power systems defeats the purpose of an alternative cheaper solution for transporting gas.<sup>15</sup>

## **Fracking**

Fracking is the process in which liquified natural gas is taken out of the environment, through drilling into shale rock. In the process of cracking the shale rock, the natural gas can leak into groundwater and drinking water supplies.<sup>16</sup> This disproportionately impacts rural families who are dependent on well water for drinking. Water is needed in order to frack, therefore the acquisition of water, especially in areas with low levels of water already available can further deplete the groundwater supply.<sup>17</sup> Fracking also impacts air pollution, by releasing nitrogen oxides, volatile organic compounds, methane, carbon dioxide, and thus contributing to ground-level ozone (smog).<sup>18</sup>

<sup>10</sup><https://www.energy.gov/ne/articles/3-reasons-why-nuclear-clean-and-sustainable#:~:text=Nuclear%20is%20a%20zero%20emission,byproducts%20emitted%20by%20fossil%20fuels>.

<sup>11</sup><https://www.cdc.gov/niosh/pgms/worknotify/uranium.html#:~:text=Uranium%20Miners%20were%20exposed%20to,20the%20U.S.%20general%20public>.

<sup>12</sup> <https://news.umich.edu/targeting-minority-low-income-neighborhoods-for-hazardous-waste-sites/>

<sup>13</sup> <http://www.energyjustice.net/biomass>

<sup>14</sup> <https://pubmed.ncbi.nlm.nih.gov/30581181/>

<sup>15</sup> <https://www.sciencedirect.com/topics/engineering/gas-to-power> and James G. Speight Ph.D., D.Sc., in Natural Gas, 2007

<sup>16</sup> <https://www.scientificamerican.com/article/fracking-can-contaminate-drinking-water/>

<sup>17</sup> <https://cfpub.epa.gov/ncea/hfstudy/recordisplay.cfm?deid=332990>

<sup>18</sup> <https://www.nrdc.org/sites/default/files/fracking-air-pollution-IB.pdf>



### **Methane**

Methane is the main component of liquified natural gas. Methane gas is found to leak at 2.3%, 60% higher than the EPA reported.<sup>19</sup> Methane is highly flammable, therefore Methane poses a significant risk for both factory fires, as well as fires in homes when leakages occur. Although methane is present in the environment for a shorter period of time, methane is 80 times more effective at trapping heat than CO<sub>2</sub>.<sup>20</sup>

### **Clean Coal and Waste Coal**

Clean coal is a greenwashed term pushed by the coal industry and their political allies that refers to a wide range of technologies to burn coal more efficiently by capturing CO<sub>2</sub> emissions from coal-fired power plants.<sup>21</sup> Even the most efficient coal-fired power plants with clean coal technology only operate at around 44% efficiency, meaning that 56% of the energy content of the coal is lost.<sup>22</sup> Beyond the emissions produced during combustion, waste coal causes localized pollution to neighboring communities as waste coal is kept in piles that leach iron, manganese and aluminum pollution into waterways and cause acid drainage that kills neighboring streams.<sup>23</sup>

-0-

*The Environmental Justice Leadership Forum is a national coalition of more than 50 organizations in 20 states that work to ensure a diverse grassroots perspective is present in federal, state, and local policy decisions. Members are based in red, blue, and swing states including those in the Appalachia, Deep South, Extreme Northwest, Midwest, Northeast and Southwest regions and represent Black, Latinx, Indigenous and low-income White communities in large, midsize, and small cities.*

*For information about this fact sheet or the Environmental Justice Leadership Forum, contact Danielle Simms at [danielle@weact.org](mailto:danielle@weact.org) or Naadiya Hutchinson at [naadiya.hutchinson@weact.org](mailto:naadiya.hutchinson@weact.org).*

---

<sup>19</sup><https://www.scientificamerican.com/article/methane-leaks-erase-some-of-the-climate-benefits-of-natural-gas/#:~:text=Methane%2C%20the%20primary%20component%20of.when%20leaked%20into%20the%20atmosphere.&text=That's%20about%2060%25%20more%20than.by%20EPA%2C%20at%201.4%25.>

<sup>20</sup> <https://www.nrdc.org/onearth/natural-gas-industry-has-methane-problem>

<sup>21</sup> [https://climatefalsesolutions.org/wp-content/uploads/2021/04/HOODWINKED\\_ThirdEdition\\_On-Screen\\_version.pdf](https://climatefalsesolutions.org/wp-content/uploads/2021/04/HOODWINKED_ThirdEdition_On-Screen_version.pdf) and

[https://naacp.org/sites/default/files/documents/Fossil-Fueled-Foolery-2.0-abridged-4\\_1\\_2021.pdf](https://naacp.org/sites/default/files/documents/Fossil-Fueled-Foolery-2.0-abridged-4_1_2021.pdf)

<sup>22</sup> <https://endcoal.org/coal-myths/myth-2-coal-is-clean/>

<sup>23</sup> <http://www.energyjustice.net/coal/wastecoal>

My name is Gordon Noble and I'm a resident of Fort Greene in Brooklyn. I've only lived in New York for six years, but I love this city and everything about it. In the past couple years in particular, I've found myself becoming increasingly invested in my community (which is a phrase I didn't really appreciate until recently). A large part of this is due to volunteering at Fort Greene park, which I do every Saturday year-round.

I started volunteering because I like working with my hands, gardening in particular. But what's become just as important to me are the people I've met. This starts with the park employees and other volunteers, but it extends to the dozens and dozens of park-goers walking by that stop and strike up conversation. They want to ask about what projects we're working on, or point out a park feature they love, or just share their appreciation for the park in general. This random striking-up of conversations with strangers stands in stark contrast to the normal bustle of New York, and I have to believe it's because the park is a common ground (pun intended) that brings people together.

Deeply, fundamentally, people love green space. This isn't just my observation; it's backed by studies which show that spending time in the green outdoors significantly decreases stress (which of course has many additional benefits, both on the individual and society).<sup>1</sup> New York, which I also love for its subways and buildings and bridges, *needs* these spaces, and it needs more of them.

Finally, climate change is happening now and the effects are only just beginning. Sandy already cost the city an enormous amount of money, and it's naive to think there isn't another Sandy right around the corner. We can either do nothing now and spend billions of dollars on damages until we run out of money, or we can spend (much less) money now and save those future billions. In this parks are an essential tool for cities like New York: they very physically act as a sponge, absorbing water that would otherwise flood into the sewer (and subway, and homes..).<sup>2</sup>

I understand Mayor Adams has to balance a budget, and that perhaps he thinks priorities have shifted since he pledged to spend 1% of the budget on parks. But parks are something we need to invest in *now*, both because it will cost us dearly later if we delay, but also because the benefit to New Yorkers is immediate. Especially at a time like this, people shouldn't be subject to the deterioration of their green spaces. Instead, New York should be a leader in integrating the urban with the wild.

P.S. Legally my name is still Gordon Eccles, but I'm marrying my Brooklyn native this summer and then snatching up her last name because "Gordon Noble" just sounds so good.

---

<sup>1</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5580555/>

<sup>2</sup> [https://mdpi-res.com/d\\_attachment/sustainability/sustainability-08-00134/article\\_deploy/sustainability-08-00134.pdf](https://mdpi-res.com/d_attachment/sustainability/sustainability-08-00134/article_deploy/sustainability-08-00134.pdf)

**To: Mr James Gennaro, Chairman, Testimony to the Committee on Environmental Protection.**

Friday March 25th, 2022. New York City Council Budget and Oversight Hearings on The Preliminary Budget for Fiscal Year 2023.

**Issue: Maximize Funding for the Rapid Enforcement of Local Law 97**

My name is Margaret Perkins and I am submitting this testimony to the Committee on Environmental Protection on behalf of Climate Works for All Coalition and the local climate group, 350NYC.org. My testimony focuses on ensuring the rapid and full implementation and enforcement of the landmark Buildings Emissions Bill, LL97. Local Law 97 represented a huge breakthrough in the fight for NYC to reduce its carbon emissions and in 2022, we do not have time for failures in its implementation.

The first benchmark for emissions reduction is 2024. In 2.5 years, it is estimated 25% of the large buildings in NYC, covered by LL97, must perform retrofits such that they comply with the 2024 emissions benchmark (Urban Green Council). About 70% of these buildings are residential, typically large multifamily dwellings.

**We know the identity of these buildings.** A quick search of the LL84 Database for 2020 identifies the name, owner and address of the buildings that are currently at risk for emitting more greenhouse gases per sq ft than the limit set for 2024.

[Energy and Water Data Disclosure for Local Law 84 2021 \(Data for Calendar Year 2020\) | NYC Open Data \(cityofnewyork.us\)](#)

Have the owners of buildings with emissions higher than 2024 limits been notified? How many have been directed to the Retrofit Accelerator for information in hiring contractors to do the necessary work and for PACE financing and other avenues for financing?

Clearly, we must have adequate funding in the FY 2023 New York City budget for increased staff at DOB's Office of Building Energy and Emissions Performance (OBEEP) to ensure buildings are aware of their penalties under LL97 and be given technical assistance to comply.

The city must have a robust system in place to do outreach to the building owners so that they are aware of the law, and their compliance obligations. Sending brochures is not sufficient.

Finally, the upgrading of the LL84 database that focuses on the delinquent buildings is warranted. Buildings are self-reporting their energy use and spot audits should be more extensive to ensure the validity of the data entered.

Slowing and reversing the drivers of Climate change knows no parallel, because once the atmospheric changes caused by greenhouse gases are set in motion, they will be destructive and irreversible. NYC must step up to its climate responsibilities, and rapid and verifiable implementation of LL97 is pivotal to that responsibility.

Thank you,  
Margaret Perkins,  
West End Ave  
New York, NY 10023  
mep Perkins@nyc.rr.com

---

**From:** New York City Council <no-reply@council.nyc.gov>  
**Sent:** Saturday, March 5, 2022 6:21 PM  
**To:** Testimony  
**Subject:** [EXTERNAL] Fri, Mar 25 @ 10:00 AM - Committee on Environmental Protection  
**Attachments:** confused-person-step-by-step-drawing-Google-Search.pdf

Attendee will be: Submitting written testimony only Attendee name (Zoom name): Nikolas kenworthey Attendee email (Zoom account): nikolaskenworthey@gmail.com Attendee phone number:  
Hearing: Fri, Mar 25 @ 10:00 AM - Committee on Environmental Protection Subject of testimony: Hello I am testifying because two weeks ago Mayor Adams announced drastic budget cuts to NYC's composting program. Funding for community composting, which supports over 200 food scrap drop-off sites across the City, has been cut in half, from \$7 million to \$3.5 million. We are going back in time to when there was no composting. Compost is essential to our earth because it makes sure our plants can grow and take out the already overfilled CO2 air. The curbside organic program was also suspended. The cost of the planned curbside expansion for next year would have been \$18 million, a mere .02% of the City's \$98 million dollar budget. I would like to see the Mayor bring these things back.  
Organization: Self  
Organization if "Other":

If a testimony was uploaded, it will be in the attachments.



Written Testimony – Friday March 25, 2022, NYC Council DEP Committee

Since the Croton water plant has no backup power for its pumps the DEP needs to inform the Fire and EM Departments of the specific blocks that will not have water in the event of the failure of Hillview Reservoir combined with a Con Ed outage.

Croton water is the City's backup water supply but most of this water needs to be pumped. Only low lying areas of Manhattan and the Bronx can receive Croton water via gravity. Higher elevations that need pumping include Riverdale, Marble Hill, Morris Heights, University Heights, Bedford Park, Fordham, Washington Heights, Morningside Heights, parts of Midtown, etc.

The City's water supply is vulnerable at Hillview Reservoir in Yonkers where the water tunnels meet the Catskill and Delaware Aqueducts. The Croton supply is entirely separate. In the event of a major attack on Hillview Reservoir the City would be dependent on Croton water. If Con Ed also failed the loss of life and property from unchecked fires could be substantial in the elevated areas since Croton water will not be available via pumping.

The Croton plant was completed in 2015 in a Bronx park in the face of strong community opposition. Just before the DEP discovered the current site all seven sites under consideration had backup power (*Conceptual Designs for the Croton Water Treatment Plant – Feb. 1998*). The selected site was ideal for the DEP. It was the closest the DEP could get to the Jerome Park Reservoir where their underground plumbing comes together. The DEP has inadequate excuses on why they left out backup power (Croton water is "supplemental", the DEP wanted to "limit the footprint").

From 2010 to 2018 AECOM, the Consulting Engineer for the Municipal Water Finance Authority stated in their yearly report, "NYCDEP is reviewing the energy demand for standby power for the Croton water plant to increase dependability in case of a major power outage."

The attached maps show the distribution of Croton water via gravity without pumping (area 2 on the first map), and with pumping (second map). The pumping map shows the DEP's actual water distribution on March 1, 2022.

The Fire and EM Departments need to be prepared for the worst case scenario, the loss of Hillview Reservoir during a power failure.

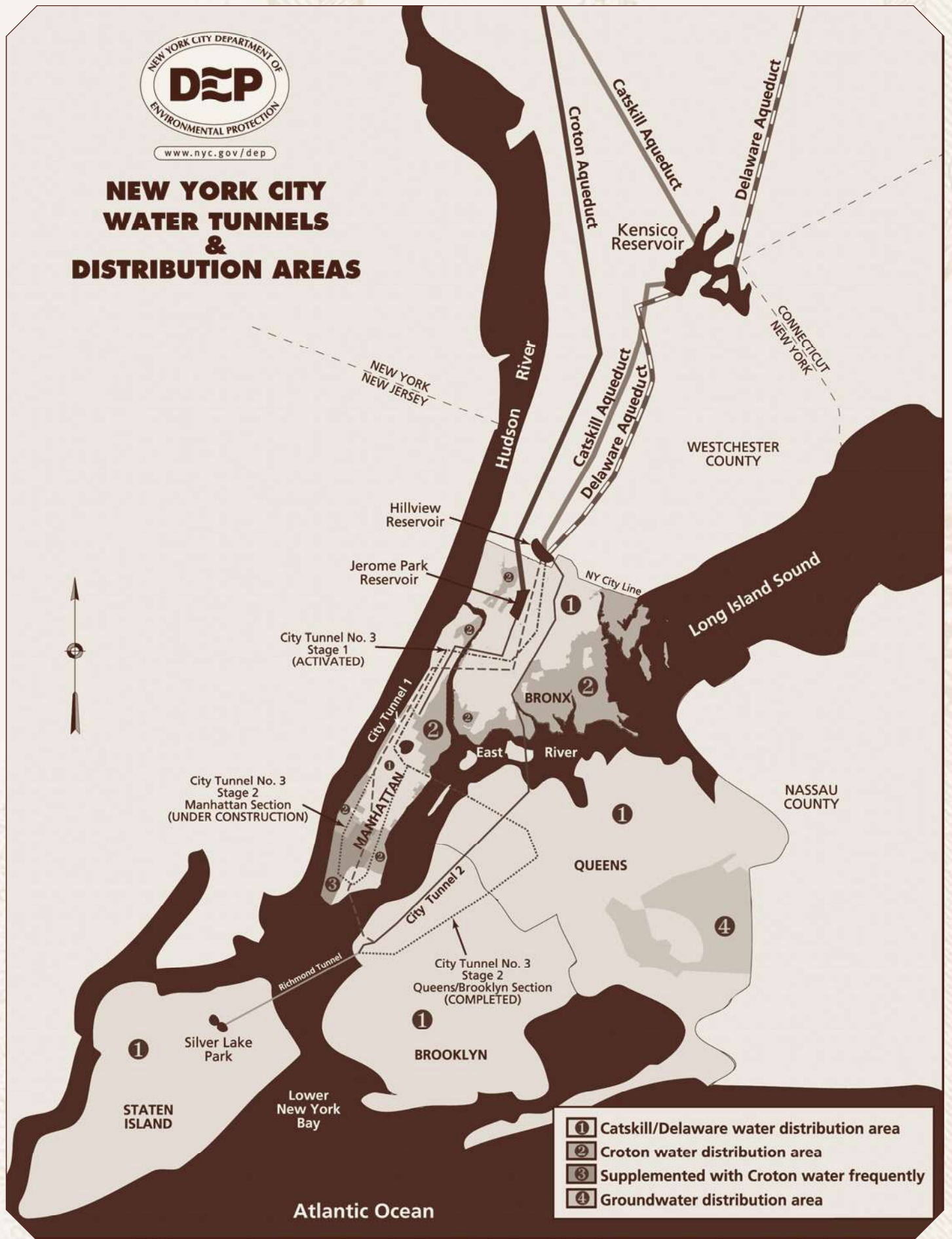
Robert Cooney, P.E. (retired)

- -

bobcooney@verizon.net



# NEW YORK CITY WATER TUNNELS & DISTRIBUTION AREAS



This map of the City indicates the general areas where water can be supplied by the Catskill/Delaware, Croton and Groundwater Systems.

## Water Source

